BOSNIA, THE PALESTINIANS & BILL CLINTON, BY MARTIN PERETZ

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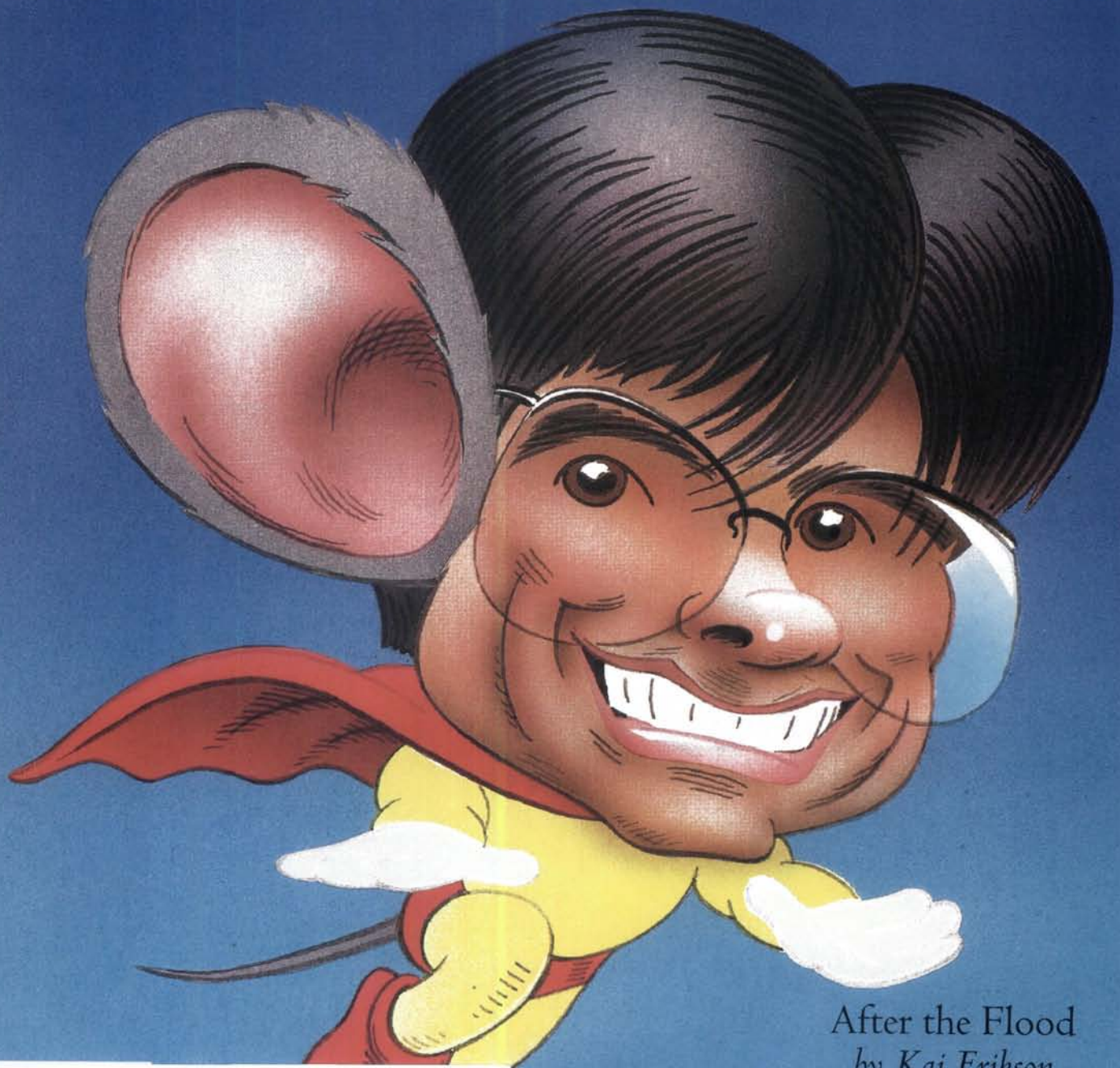
THE NEW REPUBLIC

MIGHTY MOUSE!

THE ASCENT OF GEORGE STEPHANOPOULOS, BY FRED BARNES



After the Flood
by Kai Erikson

The Real David Brock,
The Surreal Anita Hill
by Jean Bethke Elshtain

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CORRESPONDENCE

Abortion wars

To the editors:

I was very troubled by a statement in Jeffrey Rosen's otherwise excellent article about Judge Ruth Bader Ginsburg ("The Book of Ruth," August 2). He claims that Ginsburg's focus on gender roles and sex equality might not be well-matched for the abortion debate in the '90s, because it is arguable that "abortion restrictions today, unlike those in the late nineteenth century, are motivated exclusively by views about the sanctity of life, and may not reflect stereotypes about women after all." I strongly disagree—the conservatives who keep imposing piecemeal restrictions on abortion can only, logically, be concerned with making judgments about women's sexuality. When they claim to be concerned about "the sanctity of life," they are being intellectually dishonest, playing fast and loose with morality.

Take George Bush's position as a typical example of disingenuous conservatism. He said that abortion should be illegal, *except in cases of rape and incest.* Now what was Bush really saying? If a fetus is a life, then surely abortion should be illegal in all cases. The *sanctity* of a life, if that is the issue at hand, cannot be qualified, by definition.

Making exceptions for pregnancies that are the result of rape or incest is saying a very different thing: that if a woman wanted to have sex, and her birth control failed or she failed to use birth control, she should carry the baby to term. If she was forced—well, this is easy to understand as a horrible situation, so it is O.K. to stop a pregnancy in these cases.

Essentially, these restrictions are based on the insidious idea that women should only have sex to have babies, *not* on the "sanctity of life." They arise from moral feelings about women's sexuality. I have no formal training in any kind of law, but as I understand it, our country was founded on the idea that the government had no place legislating personal morality. And anyone pushing for restrictions on legal abortion is trying intentionally to confuse either the country or themselves: they are trying to make their ideas about women's sexuality into law.

DAN ROTHENBERG
Wellesley, Massachusetts

Poor credit

To the editors:

It would improve the credibility of Mickey Kaus's TRB "Credit Where Due" (August 2) if he acknowledged the reality of the earned income tax credit program as used by a large number of those who claim eligibility. My wife and I prepare tax returns professionally and observe first hand a well-documented tendency for fraud in eligibility claims. Contrary to the statement that virtually everybody likes the EITC, professional tax preparers are aware of the prevalence of fraudulent claims that absorb a large portion of the available money.

Typically, two or more people living at the same address will *each* claim status as "Head of Household" with a child under 1 (to avoid providing a Social Security number for children older than one year) and based on an income of often less than $2,000 for a whole year.

In our small rural community, this type of return represents about 30 percent of the returns claiming eligibility for the earned income credit. Kaus argues that these disadvantaged individuals at the low end of the labor market working forty hours a week cannot earn a living wage. The reality is that they have no intention of working forty hours a week during the better part of the year since the requirements do not specify any given sum as long as they "earn" something! In addition, they get Aid for Dependent Children and food stamps. They know all the angles to defraud the government with slight chances of being caught.

There is already enough money in the earned income credit program to address the needs of those truly deserving. The IRS should be required to cross-check Social Security numbers to control and inhibit fraud.

JOHN HEALY
Montross, Virginia

The politics of profit

To the editors:

John Judis recounts the government's "botched" attempt to revive the flat panel display industry, citing special interests and pleadings as dooming the rescue effort ("Flat Panel Flop," August 9). This failure does not suggest to Judis the futility of industrial policy. Rather, industrial policy can work, but "the president has to inculcate in business leaders, Congress and his own officials a broader conception of the national interest."

The core problem of industrial policy is to establish a mechanism to ensure the public's interest is served. What is at stake in industrial policy is a transfer of wealth; who secures the benefits and who pays for them are political issues. Preaching at business leaders will not solve this problem. To suggest that private interests will suddenly become altruistic because they are told that it is in the national interest to do so is pie-in-the-sky optimism. History is rife with debacles where public interest played second fiddle to private interest because incentive structures were inappropriately aligned. Does the S&L fiasco ring a bell? Until the core problem is solved, industrial policy should be a dead letter.

JOHN J. DI CLEMENTE
Tinley Park, Illinois

Blind trust

To the editors:

In "Clinton's Trouble" (TRB, August 9) Michael Kinsley succinctly attributes President Clinton's problems to an ungenerous middle class averse to taking "a financial hit." This is such an ingratiating theory that surely Kinsley gets lifetime tenure on the Clinton Suck-Up Board of Trustees. Nowhere does Kinsley mention the twin genesis of Clinton's failure: the president is both gutless and pledge happy, willing to capitalize on any oath only to bail when the bombs start to drop. Lani Guinier's ideology would not have hurt Clinton near as badly as his public abandonment of a friend in need. Admitting that the cutting-the-deficit-in-half vow was a craven election-year gambit instead of feigning ignorance as to its size would have at least garnered the support of political tacticians. And the once immoral, now defensible foreign policies toward Haiti and China beget the president his predecessor's poll numbers minus ten. Oh, and the middle class was promised something quite different than a tax increase during the campaign.

That same middle class might be prepared to accept the president's reversal if they for an instant believed that Clinton was capable of standing up for them in other fights. But one need only look at Clinton's treatment of gays in the military to realize that as chums go, Clinton is to domestic constituencies what France was (and is) to its allies (just ask House Democrats who laid their heads on the block for a BTU tax). To TNR, Clinton is merely "tortured by the call of his conscience and the constraints of his office." But the president pledged that his conscience would be vindicated and the constraints of his office would be overridden with the morally authoritative stroke of his pen. In the end, not surprisingly, he shirked. Had Lyndon Johnson said to black Americans in 1964, "Look, you can ride the buses and use our toilets, but we gotta compromise on the restaurant thing. We just can't eat with you," he would have been remembered as a coward. And he wouldn't have been able to put his unpopularity

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off on the greedy middle class.

JEFFREY W. LARROCA
Arlington, Virginia

Dear devushka

To the editors:

Liesl Schillinger is overreacting to hundreds of years of socialization and traditional linguistics (Moscow Postcard, "Devushki!," August 9). Russians do use *devushka* as a word addressing the majority of, if not all, young women on the streets. However, this should not always be taken as an offense.

Unlike English, the Russian language has two forms of the word "you." The first is the familiar and the second is the unfamiliar. Russian etiquette dictates which form its speakers can use. To use the familiar form of "you" with a stranger is unheard of; the unfamiliar is always used in this case unless they are somehow seen as a subordinate, when the familiar is used. This is the difference between *devushka* (girl) and *zhenshina* (woman); *devushka* is familiar and *zhenshina* isn't.

Russians feel that anyone younger, less masculine or who works or studies in a subordinate position deserves less respect. Indeed, Russian culture is still chauvinistic, but you can't expect it to change overnight.

As a student at Moscow State Pedagogical University, my professors addressed my classmates and myself in the familiar forms. As a single male they called me *rebyata* (child) and my female classmates *devushki*. However, we always used the unfamiliar forms when addressing them.

Undoubtedly, when men of your own age group call you *devushka*, it is meant as an insult. However, the Old Arbat or the metro are not areas in which social experiments should be taken. This would be like a young Russian woman traveling to New York City and judging her entire social experience by what happens to her on the subway or at Times Square.

Take it easy. The next Muscovite spouting *devushka* to you may be using it in the highest regard.

C. AUSTIN REAMS
Oklahoma City, Oklahoma

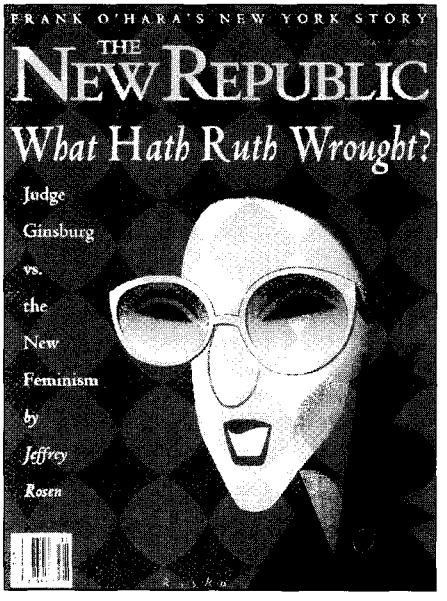
Crude remarks

To the editors:

In the August 2 Notebook, you suggest a "change of heart" in Washington concerning the possible sale of Iraqi oil. On July 1, Madeleine K. Albright, U.S. representative to the United Nations, "signaled Washington's favorable disposition toward the resumption of oil sales." But this is neither a change of heart nor new American policy.

Revenue from these limited oil sales, under stringent arrangements set by Security Council Resolutions 706 and 712, would go directly into a U.N.-controlled escrow account. About one-third of these funds would be used to compensate victims of Iraq's 1990 invasion of Kuwait. The remaining balance would be used largely for imports of much-needed food, medicine and other humanitarian items, again under strict U.N. controls.

There is nothing new in U.S. support for Iraqi acceptance of Resolutions 706 and 712, which were opposed only by Cuba. The U.N. Security Council reviews sanctions against Iraq every two months. At each session, the United States has consistently urged Iraq to respond to the needs of its people by making use of these resolutions. Albright reaffirmed on July 1 the basic U.S. position on conditions for



lifting the sanctions; the Iraqis "have to stop repressing their people, they have to arrange the boundary, they have to allow inspections to go forward."

A single sale of oil in accord with U.N. Security Council resolutions does not mean the end of the economic embargo. In the past, as you explained, Saddam Hussein rejected the stringent conditions in Resolutions 706 and 712 because "their terms were an infringement of Iraqi sovereignty." No oil was sold. If any oil sale is to be completed under similar stipulations—and that's a big if—the change of heart is in Baghdad, not Washington.

JAMES P. RUBIN
United States Mission to the United Nations
New York, New York

Junked mail

To the editors:

In Jacob Weisberg's "Torch Song Strategy" (August 9), the assertion by Senator Ernest Hollings's press secretary that the mail from opponents of the military ban on lesbian and gay troops could be counted "on the fingers of one hand" comes as a surprise to those of us at the Human Rights Campaign Fund who have been encouraging our members to write to Congress. We are aware of several hundred letters sent by our members and supporters to Hollings—out of more than 500,000 individual letters sent to members of Congress throughout the country—asking for his help in the effort to end discrimination in the military. I know that the House Post Office has had its share of troubles, but is there something wrong on the Senate side as well?

GREGORY J. KING
Human Rights Campaign Fund
Washington, D.C.

To the editors:

I was present at the April Oval Office meeting with President Clinton that Jacob Weisberg mentioned. The president was strong and determined in regards to lifting the ban. He spent almost twenty minutes of our meeting assuring us that he would be able to convince the Joint Chiefs and that we need not worry about his commitment to completely lift the ban.

Vic Basile is incorrect when he states that it was our job to deliver the congressional votes. Clinton informed us that our job was to have faith in him that he would lift the ban on July 15. Nonetheless, there was a united effort by most people in the gay/lesbian community to do what we could to educate all of Congress.

ANDREW E. BARRER
COALITION '93
Washington, D.C.

When tomorrow comes

To the editors:

In "Weeping in His Cappuccino" (Correspondence, August 2), Susan Ohanian writes in response to Mickey Kaus's TRB ("Getting Sleepy," July 5): "I'm stunned that anyone would want his productive worklife to end at 40. Kaus must have one hell of a hobby." Are you kidding? I wish I could afford to make my productive worklife end at 27—i.e., tomorrow.

While I certainly agree that the world doesn't owe Kaus and the rest of the baby boomers a living, I sure can't blame them for wanting it. I wonder what Ohanian does on her weekends. Sit around waiting for Monday to come along?

MARK D. LEW
Oakland, California

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FROM WASHINGTON

Small isn't beautiful

These days we all worship at the shrine of "small business." In the debate over President Clinton's budget, opponents argued that higher taxes on incomes of more than $180,000 would not just hit the affluent because "small businesses" also pay taxes at personal income tax rates. The Clintonites replied, accurately enough, that the budget bill was filled with new goodies for small businesses. The question whether "small business" is deserving of all this solicitude did not arise. A similar debate is now gearing up over the effect on small business of Clinton's health care plan.

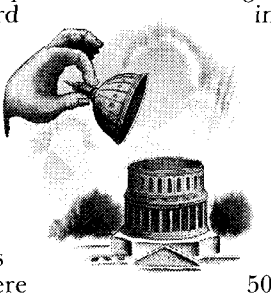
Small business is an important part of the American economy. Most small business owners are admirable, hard-working, patriotic. But the case for tilting public policy in favor of "small business" is based on logical fallacies and lobbyists' hokum.

Fallacy No. 1 is that small businesses are run by small people. In fact, the typical owner of a Fortune 500 big corporation is far less affluent than any small business person affected by the Clinton tax increase. Most stock in large corporations is held by mutual and pension funds for the benefit of working- and middle-class investors. By contrast the only "small" business people hit by the tax hike are those with incomes over about $180,000. If a small business has more than one owner, *each one* must have income over $180,000 before the new taxes hit.

Only 4 percent of unincorporated ("small") businesses are big enough to be touched by these higher tax rates. By contrast, over half of all small businesses are *really* small. Their owners report income from all sources of under $30,000. As Robert McIntyre of Citizens for Tax Justice points out, most of these small business people will qualify for Clinton's expanded Earned Income Tax Credit. If your business philosophy truly is that "small is beautiful," and the smaller the better, you should celebrate this new subsidy to truly small businesses. But the "small" business lobby is actually run by and for the benefit of larger businesses.

A favorite knee-jerk statistic of the 1980s was that small businesses create eight out of ten new jobs. That turns out to be something of a myth—even the researcher who came up with it now renounces it. But even if small businesses are an especially fecund source of jobs, it does not follow logically that they deserve special treatment from the government.

To see why, take a different example. Asian Americans are disproportionately productive. Would it make sense to give Asians a special tax break? No. Every tilt of the government toward one source of economic activity is a tilt against all others. Avoiding such tilts is not just a matter of fairness; it is a matter of letting the market decide. If the government is as neutral as possible, the market will reward small businesses or Asian businesses or any other kind of businesses exactly the right amount to maximize the output of *all* businesses.



The media, like politicians, are suckers for the whining of small business people. Two of them were quoted respectfully in a recent *Time* article. One was complaining that higher tax rates will be a disadvantage in competing with foreign companies. The other was complaining that new taxes would force him to eliminate jobs. Both complaints are familiar; neither makes economic sense. The income tax is levied on a businessperson's net profits. Whether the tax is one rate or another has no effect on the question of how best to maximize those profits: how much to produce, what prices to charge, how many people to hire, etc.

To be sure, higher tax rates can reduce the *incentive* to work and invest, for small business people like any other people. That is an inevitable disadvantage of almost all forms of taxation (though its effects have been routinely exaggerated in the tax debate of the past couple decades). Why taxes are sometimes tragically necessary nevertheless is a sermon for another day. The point for now is that there is no reason to suppose small business people deserve or require greater protection from taxation's disincentive effect than people who earn their money in any other way.

If a small business person decides to plow his or her profits back into the business, those investments can be deducted, either immediately or at worst over several years. The money on which a "small business" pays tax is generally money taken *out* of the business to be spent by the owners or invested elsewhere.

The small business lobby has made much of the fact that as a result of the latest changes, tax rates on unincorporated small businesses are now higher than those on major corporations. The personal income tax rate now peaks above 40 percent, compared with a 35 percent top rate for corporations. But shed no tears. Any "small" business big enough for its owners to be in the top tax bracket is big enough to incorporate without much trouble. If the owners choose not to, it is because the tax advantages of being unincorporated still outweigh the disadvantages, despite the supposedly onerous top rate.

One of the tax advantages of owning a small business, whether incorporated or not, is the ability to put many lifestyle expenses "on the company," thereby getting them at 60 or 65 cents on the dollar. The small trims of this privilege that are in the new tax bill—business entertainment can only be deducted at 50 cents on the dollar, down from 80 cents; the cost of taking your spouse on a business trip is no longer deductible—merely highlight how extensive the privilege remains. Company cars, company meals, conventions at golf resorts, sales trips to sunny climes in winter....

There are copious rules designed to prevent abuses of this sort. But the rules can never really police a line between what's legitimate and what isn't that is inherently vague. And of course many break the rules and never get caught. There are abuses of this sort of thing by employees of large corporations, too, of course. But the opportunities are greater for the guy who's running the business. And the business owner is less likely to get caught, too, since she only has to fool the government, not the boss.

So go ahead and admire small business folks. Even be one if you want. (Under the definitions used by the small business lobby, I'm one myself.) But don't expect to be canonized for it. And keep in mind the phony claims of the small business lobbyists during the recent tax debate when evaluating their claims in the coming health care debate.

MICHAEL KINSLEY

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THE NEW REPUBLIC

SEPTEMBER 6, 1993

DEFICIT CHICKEN HAWKS

"Cut spending first," went the mantra of Republican legislators who, as a solid, immovable block, opposed the Clinton budget. This would have been at least a plausible position if they—along with the conservative Democrats who joined them—had in the past demonstrated a clear commitment to limited government or a consistent opposition to wasteful federal programs. But on closer examination, these self-proclaimed budget hawks emerge as the worst of the deficit NIMBYs. They are the champions of the least defensible subsidies and pork-barrel programs. And unlike the Democrats who backed the president's plan, they're not even interested in paying for their purchases.

Take the issue of fees paid by farmers who graze their sheep and cattle on federal lands. The president made an early pass at raising these fees to something resembling market rates, which makes environmental as well as fiscal sense, since subsidized overgrazing destroys fragile ecosystems. Environmentalists and true fiscal conservatives lamented Clinton's early cave-in to Western senators on this issue, and scoffed at his promise to attack the problem some other way later in the year. Somewhat to our surprise, the president delivered. With the encouragement of Interior Secretary Bruce Babbitt, he made an end run around Congress and moved to nearly triple the standard grazing fee. Those complaining loudest about Clinton's proposal are not tax-and-spend Democrats. They are spend-and-don't-tax Republicans: Conrad Burns of Montana, Malcolm Wallop of Wyoming and John McCain of Arizona. These senators, along with Slade Gorton of Washington and others, are also supporters of anachronistic subsidies to Western mining and logging interests, which Clinton and Babbitt still hope to reduce.

An equally absurd subsidy Clinton has been trying to abolish is the wool and mohair program, which directs three federal dollars to angora goat ranchers for every $1.68 of mohair they sell. The program's chief defender was Representative Charles Stenholm of Texas, a Democrat who voted against the plan to abolish the subsidy because, he said, *it didn't cut spending enough.* Fellow wearers of the mohair shirt included Republican Representative Lamar Smith of Texas and Senator Larry Craig of Idaho, and the biggest hypocrite of them all: Senator Phil Gramm of Texas. Of course, wool and mohair are only symbols of the tens of billions of dollars a year our government spends on farm subsidies. Clinton didn't really attack these: to do so would have been futile in the face of the coalition of rural Republicans and conservative Democrats—Bob Dole and David Boren spring to mind—who preserve these middle-class welfare programs.

Deficit chicken hawks don't just want to preserve existing subsidies. They want to bring home new pork. Consider Representative Joseph McDade, Republican of Pennsylvania, who got an additional $13 million for the Steamtown National Historic Site, a collection of old railroad equipment that happens to be in his district. Or Richard Shelby, Democrat of Alabama, who explained his vote against the Clinton budget by saying, "It relies too heavily on tax increases and not enough on spending cuts." Shelby, however, is the sponsor of a bill that would give $100 million over five years to the American Metalcasting Consortium. Though this is a straight handout to Alabama-based foundries, Shelby says it "would not cost taxpayers a thing" because the money would come from the sale of raw materials from the Pentagon's National Defense Stockpile. Taxpayers may wonder why that $100 million can't go toward reducing the deficit.

Then there are the big ticket items: the $13 billion space station and the $11 billion Supercollider. A case can be made for each. But when it's made by Republicans who holler about the need to balance the budget and insist on not raising taxes, there's a word for it: Reaganomics. Texas Republicans Gramm and Kay Bailey Hutchison actually had the audacity to demand that Clinton pressure Democrats to back the Supercollider.

"We've got to get serious about cutting the budget," Hutchison said recently, explaining her own opposition to the president's plan. Unfortunately for her, the test of seriousness isn't posturing against spending. It's voting for spending cuts. That's something that the Democrats as a group can now say they have done, or at least begun to do. And something the Republicans haven't. •

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NOTEBOOK

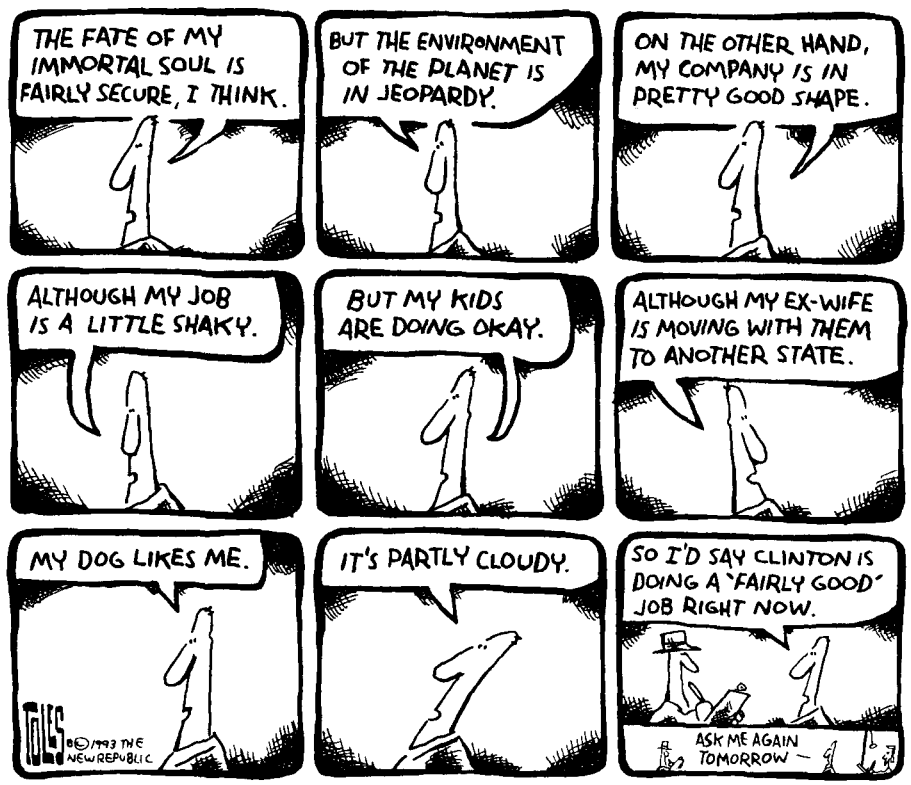
NEXT ISSUE, JURGEN HABERMAS ON CALPERS: "We certainly don't want you to miss the September/October issue, including a new and politically insightful memo to Clinton by Michael Lerner, a critique of communitarianism, and politics of meaning perspectives on health care reform and fiber-optic technology in the media." —From a *Tikkun* subscription renewal letter

SCUDDLEBUTT: *The following are excerpts from a report released last Monday by the House Armed Services Committee. It was prepared as part of a larger Gulf war study in 1991 by Les Aspin, then chairman of the House Armed Services Committee, titled "Intelligence Successes and Failures in Operation Desert Shield/Storm":*

"After three days, target imagery and current intelligence on mission performance decreased dramatically, and what did arrive was often late, unsatisfactory or unusable. One wing intelligence officer said: 'There were actual times when we sent guys out with no imagery at all. They only got a map and coordinates to find a target at night. We did continue to get targeting materials, but the coverage was spotty and almost always dated. We put in our requests, but they got swallowed by a black hole. Of the over 1,000 missions flown by [one of the squadrons], we only got back four imagery responses, and they were of such poor quality that we couldn't even read the date to check [their] currency....'

"One brigade of the 82nd Airborne Division stated that it did not have a clear idea of what Iraqi forces were over the next hill because intelligence was so poor. In fact, the brigade felt it operated in the dark for the first two to three days of the ground offensive until it received fresh information from the French. The Marines were just as dissatisfied as the Army. Lieutenant General Walter Boomer, the senior Marine commander in theater, said, 'I remember being in Vietnam for two tours and never getting a single piece of useful intelligence. It has gotten better, but we still can't get to the company level what they need to do the job.'

"... [Even] Washington's more conservative estimates of pre-ground war damage were high.... One general officer observed that the number of Iraqi naval vessels reported sunk eventually totaled three times the number of naval vessels Iraq possessed. And, while the intelligence agencies never knew for certain how many Scuds Iraq possessed, the total number of claimed Scud kills was four times greater than the upper end of the intelligence estimates for Iraq's total Scud inventory. A postwar review of photographs cannot produce even a single confirmed kill of a Scud missile."


THE FATE OF MY IMMORTAL SOUL IS FAIRLY SECURE, I THINK.
BUT THE ENVIRONMENT OF THE PLANET IS IN JEOPARDY.
ON THE OTHER HAND, MY COMPANY IS IN PRETTY GOOD SHAPE.
ALTHOUGH MY JOB IS A LITTLE SHAKY.
BUT MY KIDS ARE DOING OKAY.
ALTHOUGH MY EX-WIFE IS MOVING WITH THEM TO ANOTHER STATE.
MY DOG LIKES ME.
IT'S PARTLY CLOUDY.
SO I'D SAY CLINTON IS DOING A 'FAIRLY GOOD' JOB RIGHT NOW.
TOLES ©1993 THE NEW REPUBLIC
ASK ME AGAIN TOMORROW

SPRINGTIME FOR ELDERS: In the September issue of their newsletter, "Clintonwatch," the right-wing group Citizens United takes Joycelyn Elders to task for her public statements on abortion. "The President's pick for U.S. Surgeon General attracts attention not only for her stridently liberal positions," harrumphs president Floyd Brown, "but also for her unusually blunt manner of expressing them." He should talk. The newsletter's headline, in screaming 12-point type: JOYCELYN ELDERS: NAZISM REBORN.

J. EDGAR WOULDN'T HAVE BEEN CAUGHT DEAD IN A DRESS LIKE THAT

William Sessions

—from the "Informed Sources" column of the August 23 issue of *Time* •

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Blythe spirit

Rummaging through old NEW REPUBLIC *files, I recently came across a manuscript that has been authenticated as an unpublished work by William Faulkner. Titled "The Man From Snope," and marked "A True Story"—with obvious facetiousness—it may be either a passage excised from an early novel or a short story intended to stand on its own. Though the work is ostensibly incomplete, with several pages missing in the middle, it should hold considerable interest for the general reader as well as for Faulkner scholars.*
—Jacob Weisberg

Brie Nokes watched as the dusty Buick with the bright red combine harvester strapped to its back pulled into his dirt yard. What can a city feller want with me, Nokes wondered? I is poor folks with no money for an infernal contraption like that, still less the gasoline to run it, though it would help mightily with the cotton now that the slaves up and gone. The dust settled as the salesman, resplendent in his wide-brimmed Stetson hat and string tie, emerged from his unbalanced vehicle and strode toward the house.

"Howdy," he said. "Snopes is the name. William Jefferson Blythe Snopes. You Brie Nokes?"

"What's it to you if I am?"

"Sho now, you ordered here machine. Or have I done made a mistake?" It was at that instant that Snopes espied his destiny, shimmering with the innocent concupiscence of a bursting ripe yet untasted 13-year-old peach, amid the flotsam and jetsam of the dust-laden yard, the empty whiskey jugs and still more hollow shibboleths which waited in the absence of rain, dry and unsoaked. He watched, flinchless and wordless, as this unshod venus of the riverbed, emanating a feral mammalian grandeur, the redolence of wisteria and motor oil that burned in his brain and breast like a horseshoe or a cattle brand pulled glowing white from the forge, shelled peanuts. "Well, allowing as maybe you ain't asked for it, the fault is mine. How bout takin her out for a spin anyhow?"

As Brie drove off the bright red McCormick rig, from Snopes' ovoid head drained and evaporated all thought of his wife and child in Tulsa. And his wife and child in Wichita. And his wife and child in Hannibal. The wives and children in the various counties of Tennessee. And all the other wives in the other counties of all the other states through which he blandly ricocheted like a polished steel sphere down the parallelogram of a pinball machine, setting off lights and bells and police whistles before disappearing down the black hole with his sample case and some piece of heavy machinery tied to his Buick like a bird on a bug's back. Soon he had begun to work his charm on the untasted Lula May, making no effort to conceal the moist jonquil half moons under the arms of his starched white shirt as he tempted her with unimagined polygamous pleasures before her father returned, weaving through the yard on the bright red harvester like an inebriated chicken at feeding time, to find that his daughter, whose chastity he had guarded and protected like a chaperone of the Spanish inquisition, was unutterably and unreturnably gone.

Six days later when she returned with her single sack garment dishevveled and deranged on her despoiled bovine body, glowing with the fecundation of incipient motherhood, Nokes was sitting in the splinter-bearing rocking chair, his barrel-staved throne, with an empty whiskey jug at his side and a thirty-gauge shotgun across his lap. "You fixin to marry my girl?" Removing his glossy Stetson, Snopes admitted he had already done so at the Jefferson County courthouse that very morning, but at that self-same irretrievable moment, which generations of Blythes and Snopeses and Williams and Jeffersons unto the III and IV and V generation would regret like a festering gangrenous primordial wound, he caught sight of Lula May's younger sister, playing in a sandbox. Though only 11, she smoldered with the molten gelatinous indifference of a brewing volcano as she toyed with her pail and shovel like an errant Olympian fallen amidst the blasted detritus of the yard.

"Thar young thang looks a mite unwell," he said to Nokes, who woozily fingered the trigger on his Connecticut-made shotgun. "Might be her appendix or liver or she's been kicked by a cow when you warn't looking. Best be to run her down to the hospital and give her a look see." And before Nokes knew it, Snopes was gone from the dusty yard, leaving forever the jetsam and flotsam of mule carcasses and the chopped-up chifforobe, leaving Lula May abandoned on the clapboard porch with the latency of his own as yet unmet son, William Jefferson County Blythe Snopes Nokes I, as he shambled off with her little sister.

It was there, on the steps of the Jefferson County Courthouse, that uncalculating destiny intervened once again. Though already 48 and tumescent with another man's offspring—though she did not know whose—Edna Lou Spores emitted a magnetic reek at once the fragrant distillation of floor varnish and the fetid stench of mule sweat, as she immured her lunch of raw turnip. He felt her claw against his flesh like a rash waiting to be scratched. Snopes knew that to woo her was the sheerest folly, yet . . .

(here the manuscript breaks off for several pages)

. . . gathered at the barn the other brothers and cousins, Phlegm Snopes, Marmoset Snopes, the eternally indebted I.O.U. Snopes, Sears Roebuck Snopes, the manchild who fell in love with a heifer, Eek Snopes, who lost his heart to a rodent. Phlegm said his one-third brother wasn't worth the rope of a lynching after the bigamies and trigamies and septogamies he had brought like a rotting catfish to Yoknapatawpha County, leaving him to escape with his sample case and the bright red combine harvester, tied to the Buick like the Empire State Building on the back of a broken mare. But as he sat at the wheel, the dried tar burning on his skin, the feathers decorating his head and arms, the name of a new destination thundered into his endogamous head: Hope. It was a no-account backwater in Arkansas, but it was a place where the Snopes name might stand as shorthand for something other than double-dealing and adulteries and bigamies and trigamies. Hope, he thought as he pulled a feather from his shoulder and aimed his dusty roadster to the north. Hope. •

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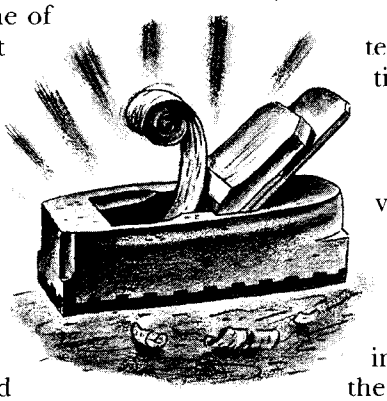
CONSUMED

GREAT PLANES

By Francis Fukuyama

I hold in my hands an exquisite hand-plane made by the Primus company in Germany. Its syrupy-brown body is carved out of hornbeam, and its sole—the plane's flat bottom—is made from the exotic tropical hardwood lignum vitae, which secretes an oil that lubricates the tool's passage over a piece of wood. When the throat is closed down and the blade properly set, it can cut a shaving off a piece of pine so thin that you can read your signature through it. As these things go, it is a fairly expensive tool—about $160 at current exchange rates.

The perfectionist quality evident in this German hand-plane is just a prelude to some of the Japanese tools I have in my basement shop. Japanese tools are different from their Western counterparts. Saws and planes cut on the pull, rather than the push stroke; a saw blade can therefore be much thinner and leave a much finer kerf (the void left by the blade). Western plane blades are usually machined out of a single blank of tool steel. Japanese blades are laminated out of thin sheets of steel, and a shallow cavity is hammered into the back to facilitate flattening. The blade is then polished to a mirrorlike finish on a series of natural waterstones, which themselves can cost hundreds of dollars. This forging technique, also used to produce the legendary *katana*, or samurai sword, leaves a blade that is hard and brittle at the cutting edge, soft and durable in the upper layers. From personal experience, I can tell you that these blades keep their edge like no other. The best are made of steel recovered from nineteenth-century ship anchors and are carefully etched with acid to reveal the crystalline structure of the metal. You must struggle to learn to use these planes, because unlike Western metal or transitional planes, they have no adjustment mechanism for setting the blade; their oak bodies must be tapped with a special hammer in just the right spot and with just the right amount of force. Bearing the individual maker's seal, single-plane and saw blades can sell new for around $1,000, and even more as collector's items.



By contrast, there has been a general decline in the quality of American tools. The present-day Stanley Company of New Britain, Connecticut, makes consumer products for do-it-yourselfers that bear little relation to the fine Stanley hand tools of half a decade ago. The old-timers in flannel shirts you see hanging around woodworking stores will tell you that you would be much better off buying a forty-year-old Delta or Rockwell table-saw than the newer versions, which are made of lighter materials and are poorly machined. While Sears still makes good wrenches and screwdrivers, their power tools have become a joke—if you want to see some real passion, start a discussion with woodworkers about "Crapsman" tools.

Behind the fanaticism evident in the quality of Japanese hand tools stands an equally obsessive craft tradition. Traditionally, rising to the status of *shokunin*, or carpenter, required a seven-year apprenticeship; in the first year the apprentice was not allowed to use any tools at all as he watched his master fashion the incredible variety of complicated hand-cut joints used in Japanese carpentry. The tools themselves are an object of veneration: each New Year's day, they are specially cleaned, put in a shrine and decorated with rice paper, two rice cakes and a tangerine—all in thanks for their year's service.

The writer and *shokunin* Toshio Odate tells the story of a young man, apprenticed to his carpenter father, who ran away from home. The prodigal son eventually went to work as a temple carpenter, spent his savings to buy a very expensive plane and then sent a single very long shaving home to his father as a gesture of repentance. As anyone who has tried to use a hand-plane will know, producing such a shaving is incredibly difficult; on seeing it, the boy's father placed it in a shrine in his home and lit a candle before it, tearfully celebrating the reconciliation with his son. The late Japanese-American woodworker George Nakashima had a routine whereby he would take a couple of strokes with a plane and then return it to the sharpening stone in a thoroughly obsessive search for the sharpest possible cutting edge.

This strain of Japanese perfectionism is in large part an outgrowth of religion. Integral to the training of the traditional *shokunin* was a spiritual conditioning that accompanied the mechanical art. Certain scholars trace this sanctification of mundane life to two Buddhist monks, Baigan Ishida and Shosan Suzuki, who developed large followings in Japan during the Tokugawa period more than 400 years ago. Suzuki taught that one could achieve enlightenment not through withdrawal from the world, but through the perfection of the most common everyday tasks: planting rice, planing a board. This strand of Buddhism, unique to Japan, has been compared to the Puritan sanctification of this-worldly vocations that Max Weber and others regarded as key to the capitalist revolution of the six-

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teenth and seventeenth centuries.

Though you would not know it from watching the plodding Norm Abrams's woodworking show on PBS, there are many beautiful hand tools made in the American tradition. If you don't believe it, take a look at the tool chest made by Henry O. Studley, which is currently on display at the Smithsonian's National Museum of American History. The chest's intricate interlocking sections, which fold up into a case no larger than an airline garment bag, contain more than 300 of the best tools produced in the late nineteenth century. Holding an antique Stanley or Bailey plane, you realize that the decline in American quality is a recent and entirely remediable problem. It has already been rectified to some extent by small toolmakers such as Lie-Nelson, which makes beautiful bronze versions of classic Stanley planes, and Bridge City, whose rosewood and brass marking tools are wonders to hold and use.

We who collect material objects compulsively are frequently attacked as materialistic, consumerist and shallow. Working with a Chiyozuru-Sadahide hand-plane, however, or an ebony-inlaid Norris, makes one realize that the *amor habendi* is a good deal more complicated than that. The spiritual dimension of owning a truly sharp blade is a highly attenuated experience for most people. But it would not have been foreign to my grandfather, who, despite his struggles to raise a family in Los Angeles during the Great Depression, surreptitiously bought an impressive collection of samurai swords. Though my situation today is rather different from his, both of us know what it feels like to be on the cutting edge.

FRANCIS FUKUYAMA, a resident consultant at the RAND Corporation, is an amateur cabinetmaker.

PAPAL POSTCARD

JOHN DENVER

By Robin Chotzinoff

On Thursday, the elementary school across the street from my house filled with teenagers. I knew they had come for World Youth Day and to see the pope—but you couldn't possibly live in Denver and not know that. All week long, Secret Service helicopters had been flying over our street, scoping out the route to the college where the pope and President Clinton were to meet. T-shirts featuring the pope and the Rocky Mountains were for sale on front lawns for blocks around. John Paul—or Juan Pablo, as he was called in this neighborhood—was in town with a vengeance.

Like the pilgrims crowding into downtown Denver—hanging out of buses, singing loudly, their crucifixes tangled in their backpack straps—the kids across the street favored a sort of fresh-scrubbed grunge. There was no way to tell where they came from just by looking at them. Which was fine with me. I hadn't planned to take an interest—it would conflict with the party line my peers and I hold dear.

My husband, a renegade Catholic who began his rebellion by walking out of kneeling practice in second grade, wanted nothing to do with the pilgrims. One of my editors at work went into paroxysms of annoyance every time he saw one. There they'd be, waving their flags of all nations and singing their wholesome songs—and there he'd be, loudly offering his theory that all this was a P.R. maneuver meant to distract us from the sexual misconduct of priests. The town's media was falling all over itself to declare this Colorado's finest moment. Not us.

The alternative newspaper where I work had already published pictures featuring a pope impersonator as a Colorado tourist—playing the slots, windsurfing, draining a cold beer. We had invested in black market pope-abilia: rub-on tattoos and foam-rubber miters. What more could we do? We stood for reproductive rights, evolution, parity between the sexes and other sane things.

The problem was, I just couldn't seem to get around to feeling threatened. Sure, Catholicism is problematic, but I've gotten to like Catholics. I live among them. Northwest Denver, my adopted neighborhood for the past decade, is an old, eccentric, Mexican-Italian, Catholic cocoon—so explicitly religious that a few years ago the Devil moved into the basement across the street, only to be exorcised by a kind old couple whose real names are Joseph and Mary. The Catholic trappings of Northwest Denver are beautiful—the parochial kids in sensible plaid, the *santo niño de atocha* candles at the *botanica* down the street. People here are accepting. No matter how heathenish I act, I know I will never face excommunication.

On Friday morning, I watched as the kids across the street streamed out of their building and down my sidewalk. The language they spoke sounded faintly Slavic, and I drifted outside to practice my terrible Russian on their priest.

"Where are you going?" I asked him.

His eyes actually lit up. He smiled. "McDonald!" he said.

On Saturday, I wandered across the street. The pilgrims were getting ready to board buses for Cherry Creek State Park, where they would spend the night in sleeping bags waiting to hear the pope celebrate mass. It turned out all 150 of them were recent immigrants to Canada from Poland, that they had come to see the pope in part because he's Polish too and that quite a few of them were cranky.

"We have not been to any Denver place but McDon-

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ald's," one 15-year-old girl complained. "We have not even seen pope, except on T.V. We are wanting so much to meet other youth, but we are not."

A few girls strummed guitars and sang, but the rest of the crowd was restive. The original plan—to walk the fifteen miles to Cherry Creek—had been scrapped, and the priest was trying to load his charges into two out of three buses, the third having somehow been lost in the shuffle. "How can this be happen?" I heard the priest mutter. "How can a whole bus not be?" Finally, the pilgrims sat on each other's laps and drove away. I know that half a million people were converging on their camp site. After all their trouble, I hoped they'd get to see the pope.

By the time Sunday mass was over, I wasn't sure they would make it back to Northwest Denver at all. The radio was full of horror stories—17,000 of the faithful stricken by heat prostration, half-mile-long port-a-potty lines, at least one fatal heart attack. Almost 750,000 people had shown up at Cherry Creek, and most of them seem to have thought they could beat the 90-degree heat with an occasional sip of Pepsi.

The two buses finally appeared at about six o'clock Sunday night. A few minutes later, my doorbell rang. Outside were Magda, Violeta and Monica, all 16. They asked if they could take a shower.

I fed them tea and Colorado peaches while they waited their turns. I said I was sorry so much had gone wrong at mass.

"But nothing is wrong!" Magda said. "It was so beautiful!"

The heat? The fainting multitudes?

"Some people were fainting," Violeta agreed, "but it was wonderful. In the communion I was so happy I was crying."

"The pope spoke a different language to almost every country," Monica said. "To us, he said, *The Jesus is your friend.* He told us about the love."

"Oh," Violeta sighed, "I like this pope so much."

After their showers, the three girls pressed me to accept an *I Love Toronto* key chain and sang me a song in Polish. It contained not one word about God or Jesus or the sanctity of life. In translation, it went:

We're glad you're here
We're glad you're here
We're glad you're here
Oh what if you weren't here?

My husband and daughter came in from the Safeway during the last chorus. It was quite a scene. We all stood there among the grocery bags laughing and singing a little. Suddenly, a helicopter passed low over the house. The pope was on his way out of town. Unbeknownst to me, he had been only five blocks away, making an unannounced visit to an orphanage just south of the Safeway. As charitable institutions go, the Mount Saint Vincent Home is self-effacing. If you didn't know an emotionally disturbed child, you might not even know it existed. With all the higher-profile targets in town, I couldn't imagine what led the pope to our neighborhood, but he had come, and even my husband was impressed.

"He just walked right in and stayed awhile," my husband told us. "There were police barricades everywhere, and people were out on their lawns."

"Did you *see* him?" Monica asked.

"No, but our checker did. She was outside having a cigarette during her break, and the pope walked by on the other side of the fence. She saw him all right," he said. "You should have seen her face."

ROBIN CHOTZINOFF is a staff writer for *Westword* in Denver.

The U.N. goes soft on Bosnia. Again.

COURTING DISASTER

By Gary J. Bass

In February, the United Nations Security Council passed a resolution establishing a war crimes tribunal for atrocities committed during the war in the former Yugoslavia. In theory, the tribunal, based at the Hague, will have the power to bring to justice war criminals for any grave violations of humanitarian law committed since 1991. But in reality, the process is in danger of becoming bogged down in the U.N. bureaucracy and winding up not as a second Nuremberg, but as a rerun of the ineffectual threats of prosecution against Iraq in the wake of the Gulf war.

From the beginning, politicking has plagued efforts to set up the tribunal. The key figure in the body will be the prosecutor, who is to be nominated by Secretary General Boutros Boutros-Ghali and appointed by the Security Council. A vigorous, aggressive prosecutor could go a long way toward making the tribunal work. "That's the key," says Bosnia-Herzegovina's permanent representative to the U.N., Muhamed Sacirbey. But the Security Council's European members have their own agenda in Bosnia-Herzegovina, and a fight is already under way in the Security Council over the appointment. "There are certainly some members of the Security Council who are not too enthusiastic about having an aggressive prosecutor who is likely to disrupt political processes," says Cherif Bassiouni, an American law professor spearheading the commission of experts, the tribunal's evidence-gathering wing. "They prefer a tame or manageable prosecutor to suit their political agenda. I'm obviously not one of those persons," he adds delicately (his name is one of three in serious contention).

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Bosnian officials accuse Britain, France and other European powers of "an intense lobbying effort against Bassiouni," says one such official. The Europeans prefer another candidate, Duncan Lowe, head of the Scottish public prosecutors service. Non-aligned and pro-Bosnia Security Council members tend to back Bassiouni. "We cannot have a European, and especially not an Englishman," says Venezuela's U.N. representative, Diego Arria, who sits on the Security Council. "Britain cannot negotiate and give absolution at the same time." (A third candidate, Amos Wako, the attorney general of Kenya, seems to be backed only by Brazil. "Kenya is not a very democratic country," says one Security Council ambassador. "To be attorney general of such a country is not very prestigious.") With the United States presiding over a divided Security Council, the decisive vote could be America's, but no one knows Washington's preference yet.

Political jockeying has also hampered attempts to find judges for the tribunal. The tribunal's eleven judges are to be elected by the U.N. General Assembly, where authoritarian regimes predominate. Member states and non-member states with permanent observer missions nominated up to two candidates. The Security Council will now weed the nominees down to a list of twenty-two to thirty-three candidates, "taking due account of the adequate representation of the principal legal systems of the world," according to the wording of the resolution. The list then returns to the General Assembly, where the eleven judges will be elected by majority vote. This will likely lead to yet another round of political squabbles, with dictatorships attempting to elect creatures of their own regime.

But so far the greatest problem in choosing judges has not been political maneuvering but a resounding lack of interest. Late last month, a week before the nominations came due, the United States U.N. representative, Madeleine Albright, was still attempting to convince member states to make nominations. Only eight had committed to doing so. "It'd be nice to have twenty-two to thirty-three," Sacirbey said gloomily. In the end, they got thirty-seven, but only a few are distinguished names, such as Antonio Cassese of Italy, an academic specialist in war crimes, and Jules Deschênes, who headed a commission investigating war criminals living in his home country of Canada. Some notoriously thuggish governments nominated candidates, including China, Syria, Iran, Uganda, Zaire and Peru. And some Balkan states weighed in; Slovenia made one nomination, and Croatia and Bosnia-Herzegovina made two apiece. (One of Bosnia's nominees is the American feminist legal theorist Catharine MacKinnon.)

Given that the judges are likely to be a diverse lot, both in background and experience, it makes sense to leave it up to them to establish rules of procedure and evidence. But this creates the possibility of abuse, should too many of the eleven judges turn out to be hacks. It also makes the gathering of evidence more complicated for the non-governmental organizations and human rights groups that are doing the bulk of the legwork. (The U.N.'s commission of experts still lacks the funds to send investigators.) "We did not anticipate that we'd be gathering evidence for a war crimes tribunal," says Jeri Laber, executive director of Helsinki Watch.

Even if, in the end, the U.N. manages to overcome these obstacles and convenes a worthy tribunal, complete with a fiery independent prosecutor and competent judges, the body will still suffer from a significant problem: it is backed up by almost no authority to punish. On paper, the U.N. appears ready to severely punish war criminals, threatening to charge ex-Yugoslavs with mass rape and genocide. But paper threats are about all it can muster. If, for example, defendants called before the tribunal fail to appear, or if they simply ignore the subpoenas, the states that shelter war criminals face nothing more severe than Security Council sanctions; their leaders risk nothing worse than isolation.

That threat is not likely to intimidate Serbia, overwhelmingly the most blood-stained offender. The country is already under U.N. sanctions and, in the course of its conquest of Bosnia-Herzegovina, it has been given little reason to take the U.N. seriously. What's more, fearing show trials, the tribunal won't try defendants in absentia. So unless Serbian and Croatian leaders voluntarily surrender, there may be no trials at all. "If there's no international will to stop the killing, I don't see how there can be the will to have a tribunal," worries Venezuela's Arria.

Why is the tribunal so lacking in teeth? One reason is that the U.N. is currently tangled up in the attempt to bring peace to the former Yugoslavia. "There is an obvious incongruence between pursuing a political settlement option and a justice option," says Bassiouni. "Up to a point, they can be pursued in tandem. There comes a point where they may become incompatible." Bosnian officials are more forthright. "There are certain interested parties behind [E.C. negotiator David] Owen and [U.N. negotiator Thorvald] Stoltenberg who have tried to minimize the impact of the war crimes tribunal," says Bosnia's Sacirbey.

When a Balkan peace settlement is on the table, the tribunal tends to be shunted aside; Britain and other E.C. countries worry that threats of prosecution might derail a settlement. After all, the difference between Nuremberg and the new tribunal is that the former went after the Nazis—those who had lost the war. As Helsinki Watch's Laber points out, "We've never had a case where the people who are most likely to be indicted are the victors, not the vanquished."

And the victors appear unlikely to settle a peace treaty without protection from prosecution. "I cannot see how any peace plan will not call for amnesty," says Arria. *Newsday* reported that U.N. officials had told

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Frits Kalshoven, the Dutch chair of the commission of experts, not to go after Serbian President Slobodan Milošević or Bosnian Serb leader Radovan Karadzic. The first six months of the commission of experts' work coincided with the debate of the Vance-Owen plan; during that period, Bassiouni complains, "the U.N. bureaucracy was reluctant to allow me or any staff to do work on our own or to find our own staff."

Although the commission was created by the Security Council in October, it was not until May that arrangements were made for U.N. member states to finance the commission voluntarily. (The only countries who have given money to date are the United States, Canada, the Netherlands, New Zealand and Micronesia.) The U.N. has been slow enough to make human rights groups more than a little impatient. Helsinki Watch has named Serbian officials it considers ripe for prosecution and is issuing a report detailing eight cases that could be brought to trial. Lest anyone miss the point, the report is titled *Prosecute Now!*

But while the U.N. creaks along, testimonial evidence vanishes as refugees flee the Balkans and paper trails go cold. Without credible witness protection programs, many victims will be terrified of giving testimony. Some forensic evidence does not fade as quickly but does present other difficulties. The single best piece of evidence for a tribunal so far is a mass grave outside Vukovar, which is reportedly full of the corpses of about 200 Croatians dragged out of a hospital and massacred by Serbs with AK-47s. But when the Boston-based Physicians for Human Rights (for whom I work as a consultant), under contract with the U.N., wanted to do follow-up exhumations, Washington refused to supply the necessary support from combat engineers. "You would be digging in Serbian-held territory to investigate Serbian war crimes," a Pentagon official explained to *The New York Times*. "We would have had to provide an extensive security force in case trouble erupted and our troops were attacked or taken hostage." To Milošević, Karadzic and Tudjman, that signals that violence is useful not just for carving up Bosnia, but also for obstructing attempts to bring them and their underlings to justice.

For all the potential pitfalls, the picture is not completely bleak. A tribunal need not be a cynical half-measure to soothe the world's conscience. Some prosecutions would be relatively easy; for example, a Serbian commander whose forces shelled Srebenica or Sarajevo for months would have no effective defense. Despite its travails, the commission of experts has reports of 204 camps or detention centers, and of more than 100 mass graves; and any one of these could yield evidence for many convictions. Similarly, low-level convictions should lead higher and higher, creating a deterrent to future bloodbaths—but only if there is the will.

GARY J. BASS is a former TNR reporter-researcher.

How long can a disaster last?

AFTER THE FLOOD

By Kai Erikson

The floods that hit large sections of the American Midwest this summer did a staggering amount of damage, as everyone knows by now: fifty people killed, 17,000 square miles submerged, 40,000 homes evacuated and an unknown number ruined, $12 billion in damage to property and crops. And these numbers are certain to go up as the grim reckoning continues.

The most serious costs in the long run, however, will be less tangible. Disasters drain the human spirit in ways that people do not at first expect, at least in part because it is so easy to assume that the event's most dangerous moment—the cresting of the flood waters, in this case—is also the darkest moment in the climb back to wholeness. Unfortunately, that is not how it works for large numbers of people.

It is clear from the reports we have seen so far that waves of exhilaration moved down the Mississippi and the Missouri and the other swollen rivers as first one community and then another braced for the approach of danger, and that a deep sense of fellowship and warmth was generated by shared activities like the piling on of sandbags or the rescuing of livestock. If the experience of other disasters turns out to be a reliable guide, however, the exuberance will fade or even sour as people return alone or with their families to sodden fields and muddied homes and face all the other lonely burdens that accompany recovery from a flood. Many of these people are apt to feel numbed and depleted, overcome with the feeling that something in the order of things has gone awry. And for some, as time passes and nothing much seems to happen, sorrow may grow into despair, weariness into resignation, hopelessness into depression.

The floods of 1993 are not like Hurricane Andrew or most of the other celebrated onslaughts of nature that strike for one savage moment and then pass, leaving a ruined landscape behind. Floods of this kind build gradually, remain in force for long stretches of time and disappear with what feels like a glacial slowness. "A hurricane comes and it's gone," a woman from Missouri said to a reporter, "but a flood like this hits, and then you wait, and you wait and you wait." Another woman, this time from Iowa, told a reporter: "A fire is easier. It's done. It's over."

So these floods are more like a pestilence than a tornado, more like a drought than an earthquake; they

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Where We Stand

By Albert Shanker, President
American Federation of Teachers

The Democracy Reader

The recent international human rights conference in Vienna was like a reprise of the Cold War in at least one respect. Once again, we heard some nations advancing the old line that democracy and democratic ideals are cultural and Western.

According to this line, the people in other parts of the world really don't care about having freedom of speech and a free press or about being able to choose their leaders in free elections and join whatever organizations they please. They are more interested in raising their standard of living. Insisting on democracy will impede this, and those who say democracy must be a priority are just showing how ethnocentric they are.

You'd think that the collapse of the Soviet bloc and the student uprising in Tiananmen Square, presided over by the statue of the "Goddess Liberty," would have revealed the flimsiness of this argument. Nevertheless, it continues to be advanced.

A recent collection edited by Diane Ravitch and Abigail Thernstrom reminds us of how universal the desire for freedom is. *The Democracy Reader* (New York: Harper Collins, 1992) includes writings on democracy and freedom all the way from Plato, John Milton and the Massachusetts Slave Petition to modern times.

In answer to the argument that most people want food and shelter rather than freedom, Sidney Hook, writing at the beginning of World War II, talks about the fallacy of the choice between bread and freedom:

> The profoundest lesson of our era is the fact that without political freedom there can be no other freedoms, but only an uncertain and uneasy exercise of privileges which may be terminated abruptly without anybody's having to account to those who are affected by these decisions.

"Without political freedom there can be no other freedoms, but only an uncertain and uneasy exercise of privileges which may be terminated abruptly without anybody's having to account to those who are affected by these decisions."

There are writings by Alexander Solzhenitsyn and Andrei Sakharov and Vaclav Havel. Helmut Frauendorfer, a Romanian who fled his country in 1988, describes the life of ordinary people under Ceausescu—without freedom and civil or human liberties. Octavio Paz and Mario Vargas Llosa talk about the importance of democracy for the future of Latin America. And in "The Fifth Modernization," Wei Jingsheng, a Chinese writer and editor who has been in jail since 1979, says his country will not be able to achieve necessary modernizations in industry, agriculture or other sectors of society without the "fifth modernization," democracy. Wei sees democracy as a system of self-criticism, adjustment and renewal, and without it, he believes, the other modernizations will never succeed.

One of the most moving answers to the shallow and self-serving arguments of governments that deny the universality of the desire for freedom and democracy comes from Chinese scientist Fang Lizhe. Fang, who took refuge in the American Embassy during the uprising in Tiananmen Square and now lives in the U.S., wrote this when he was given the Robert F. Kennedy Human Rights Award in 1989:

> Chinese people are no different from any other. Like all members of the human race, the Chinese are born with a body and a brain, with passions and with a soul. Therefore, they can and must enjoy the same inalienable rights, dignity and liberty as other human beings . . . .
>
> Recent propaganda to the effect that "China has its own standards for human rights" bears an uncanny similarity to pronouncements made by our 18th century rulers when they declared that "China has its own astronomy." . . . .They refused to acknowledge the universal applicability of modern astronomy, or even that it might be of some use in formulating the Chinese calendar. The reason . . . was that the laws of astronomy, which pertain everywhere, made it quite clear that the "divine right to rule" claimed by these people was a fiction. By the same token, the principles of human rights, which also pertain everywhere, make it clear that the "right to rule" claimed by some today is just as baseless. That is why rulers from every era, with their special privileges, have opposed the equality inherent in such universal ideas . . . .
>
> In the field of modern cosmology, the first principle is called "the Cosmological Principle." It says that the universe has no center, that it has the same properties throughout. Every place in the universe has, in this sense, equal rights. How can the human race, which has evolved in a universe of such fundamental equality, fail to strive for a society without violence and terror? How can we fail to build a world in which the rights due to every human being from birth are respected?

To order *The Democracy Reader*, call 800-331-3761.

Mr. Shanker's comments appear in this ad under the auspices of the American Federation of Teachers. Reader correspondence is invited. Address your letters to Mr. Shanker at the AFT, 555 New Jersey Avenue, N.W. Washington, D.C. 20001. © 1993 by Albert Shanker.

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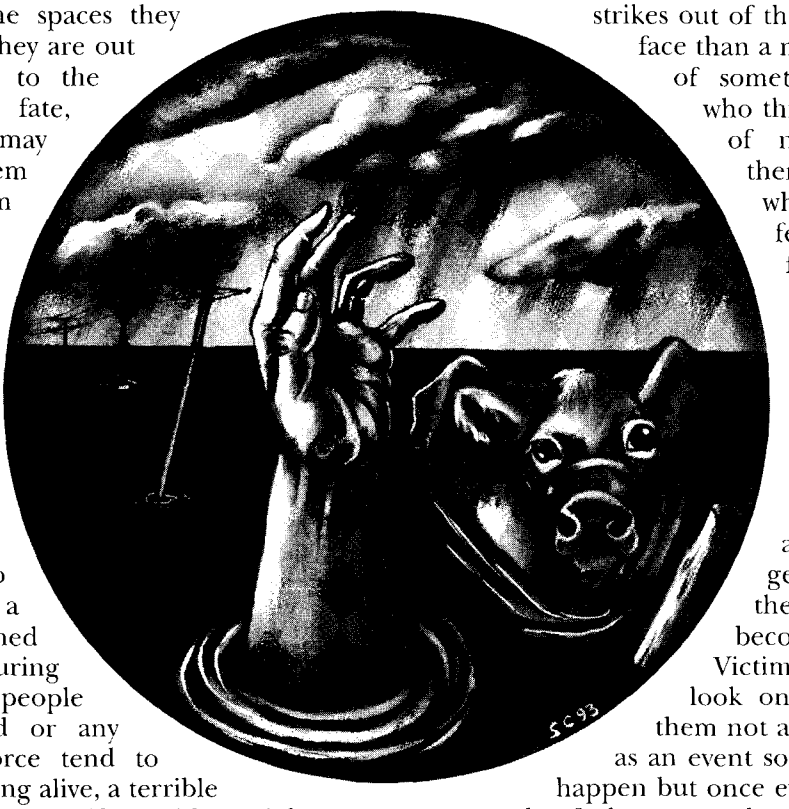
involve a long season of trouble rather than a single searing attack. The last of the water to have spread beyond the river banks will not disappear until well into the fall, and as it withdraws it will drag across the countryside it invaded like a heavy tide going out. And as the bloated rivers slowly subside, they will continue to endanger levees that have been under siege for many weeks and are now spongy, weakened, undermined and, in places, almost the texture of oatmeal. "The flooding of the past three weeks," wrote Peter Applebome in *The New York Times*, "is prelude to a soggy, fetid, slow-motion recovery that will drag on like a long illness."

And what will this illness look like?

People exposed to disasters often feel overwhelmed by the force that struck them and, for that reason, come to sense that they have lost command over their own lives and the spaces they occupy. They feel that they are out of control, vulnerable to the caprices of an erratic fate, caught up in forces that may at any moment take them over and sweep them away. "The river's got us captured and won't let us go," said one man, echoing a feeling familiar not only to many people in Midwestern flood zones but to victims of disasters everywhere.



A body of water may seem like inanimate matter to those of us who chart its movements on a map or who see it framed on a television screen during evening newscasts. But people caught up in a flood or any tremendous natural force tend to experience it as something alive, a terrible creature that acts with purpose, if not with outright animus. Sometimes, as when a levee breaks and water crashes through, waves exploding into the air, the river becomes a seething, rolling, gnashing being. Sometimes, as when a thrust of water upstream creates too powerful a momentum, the river surges between its own banks with a thunderous roar and a shower of foam. Even when the river rises and falls in exaggerated slow motion, quivering slightly on the surface, it can seem malicious: below the surface it probes for every soft spot and fault line, intent on doing harm. It is, as a young mother said, "like something possessed."

One reporter called the Mississippi River "a filthy, fetid, raging beast"; another described the Missouri River as "a brawling ... monster." Midwesterners, presumably, will select their adjectives from a less giddy vocabulary when their turn comes to describe the flood waters, but the images will probably be similar.

Victims of the Buffalo Creek flood of 1972, whom I interviewed twenty years ago, will understand. "I cannot explain that water as being water," said one. "It seemed like the demon itself. It came, destroyed and left." And another, speaking two years after the event, said: "I felt as though the water was a thing alive and was coming after us to get us all. I still think of it as a live thing."

People who settle on flood plains are no strangers to misfortune. They expect it, take it into account, make allowances for it and in that sense think of themselves as prepared. "You learn to contend with the river," said one man. "I know the river and what it can do," said another. This sense of knowing what to expect may help insulate people from the pains of the flood, but it can also leave them vulnerable. A force that strikes out of the blue can be easier to face than a monstrous exaggeration of something familiar. People who think they know the ways of nature, who consider themselves prepared for whatever happens, can feel profoundly confused and even betrayed when the knowledge on which they relied turns out to be inadequate.

It is a small step psychologically and spiritually from a particular feeling of helplessness and vulnerability to a general conviction that the whole world has become a precarious place. Victims of a disaster often look on the blow that struck them not as a freak of nature, not as an event so unusual that it should happen but once every 500 years, but as a sample of what nature has in store for them. The lesson of the flood, to those who come to think this way, is not that a given locale has shown itself to be unreliable but that the whole world has shown itself to be a thing of uncertainty and peril. So when one man says to a reporter, "We will never feel the same about our place on earth," he may be talking about his home turf, but he may also be talking about the world in general.

Early reports from the flood describe another feeling common to disasters—that the surrounding world has become a scene of contamination. By the time the flood waters have made their way downstream, they carry not only endless quantities of mud and silt and sludge, but a remarkable slurry of dead animals, rotting fish, raw sewage, pesticides, industrial chemicals and assorted fuels. The water becomes so rich with pollutants, in fact, that those who come into contact with it are encouraged to have tetanus shots. Mosquitoes, flies and bacte-

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ria thrive in this environment; the flood waters are a gigantic, if somewhat diluted, sewer.

That, too, is hard to take, not just because the countryside has become putrid but because the contamination reaches into one's own living areas, defiles one's personal space. As Applebome noted, the flood victims "will return to a stinking world of polluted river mud laced with diesel fuel and sewage that will almost certainly have ruined all their possessions and made their homes unlivable."

Some people will lose their homes, then, not because they were splintered by the force of a cruel wind or shaken loose by the force of an earthquake but because they became too spoiled for human use. When the waters subside, many houses will stand intact—as they have for generations. They will have the illusion of being whole. They will be within reach. But they will be unattainable, for they will be fouled to the point of being impossible to live in. And that, in its turn, is likely to complicate another reaction often found in the wake of severe disasters.

To lose a house or a set of possessions or even an important landmark can be disorienting in almost the same way that a death can be. A home marks the outer edges of one's person. It is a source of identity. It is an extension of the self. And its loss can easily register in the mind like the loss of a life. Said a woman in Illinois returning from a visit by boat to her flooded home, "This is like a death in the family."

Yet many parts of our culture leave little room to mourn this sort of loss. To grieve the death of a relative or a neighbor or even a stranger makes sense on the emotional scales with which many Americans measure their own feelings. But to grieve the loss of a wooden house? Or some valued furnishings? That, for many, is another matter.

The most devastated sections of the flood zone, apparently, were small villages and family farms. "Along the stretch of the Missouri that runs from Kansas City to St. Louis," noted a report from *The New York Times*, "it appears that hardly a single levee has held. It is impossible to count the number of farms inundated, and the mind numbs just trying to keep track of the totally lost villages and half-inundated Missouri towns." Some of these villages have been so badly damaged that their very survival is in question. Here the tragedy is perhaps greatest, not just because the people living in these towns tend to be poorer than their urban counterparts, but because of all the floods' victims they are the ones for whom community and neighborliness have meant the most as a source of support and succor. Their lives, as well as their landscape, will now have to be remade.

What shape this new world will take depends on much more than resources and emotional healing. In an America of strip malls and instant communication, planned villages and placeless spaces, centerless towns and sidewalkless streets, it is unlikely that these communities, many of which were formed more than a century ago, will return along their old forms. Perhaps the saddest aspect of the summer's disaster is this: unlike the fossil beds laid bare by the flood waters of 1993, the way of life that grew up next to America's greatest rivers may very well not be preserved, even in mud.

KAI ERIKSON, professor of sociology at Yale University, is the author of *Everything in its Path: Destruction of Community in the Buffalo Creek Flood* (Touchstone).

Where did Stephanopoulos come from?

THE IMPORTANCE OF BEING GEORGE

By Fred Barnes

"Avoid these mistakes" —William Safire's inscription for George Stephanopoulos on a copy of *Full Disclosure*, his novel based on the Nixon White House

Early on the August day the House voted on President Clinton's budget, George Stephanopoulos pulled up a chair in the Oval Office. All day and into the evening he sat on Clinton's left, the two often working alone at the president's desk. Stephanopoulos had four lists of House Democrats (firm "no," leaning "no," undecideds and leaning "yes"), a telephone and a pad to record promises made by Clinton. He selected the waverers the president should call and suggested the arguments to use. By midafternoon, Stephanopoulos, a born pessimist, smelled defeat. He started pushing buttons, making deals, handing out assignments. He sent David Gergen, the White House counselor, a list of four recalcitrant Democrats to lobby (Gergen struck out on all four). He rounded up three votes by getting Clinton to commit to a package of future spending cuts. When the vote lingered at 216-214, "we thought we'd squeeze it out, but we

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didn't really know," says Stephanopoulos. "I was scared." There was no need to be. The tactical moves worked: two more votes fell in place, and the budget passed.

The conventional wisdom about Stephanopoulos—that he was demoted and humiliated when he gave up his job as communications director on Gergen's arrival—is palpably wrong. "Only in Washington could you switch from spending half your day with the press to spending your entire day with the president, and have everybody call it a demotion," says Paul Begala, a political consultant who advises Clinton. This was the White House line at the time, widely disbelieved but true. "It's the Washington law of physics at work," insists James Carville, Begala's partner. "When somebody comes in, somebody goes down."

Instead, Stephanopoulos landed in the lap of the president. His office is the only one with back-door access to the Oval Office. Clinton wanders through frequently, including one day I was having lunch with Stephanopoulos. I asked the president why, after talking to him just once, he hired Stephanopoulos for his campaign in September 1991. "Instinct," Clinton said.

Stephanopoulos is unique in White House annals. His official title is senior adviser to the president for policy and strategy. There's no one who's had a job quite like his. Even Gergen, who worked on three White House staffs prior to Clinton's, couldn't think of anyone comparable. Stephanopoulos has influence, but no line authority like a chief of staff or domestic policy adviser or congressional liaison. Nor is he a new Mike Deaver, concentrating on political spin. He does politics and policy. Stephanopoulos has another role: lightning rod for Clinton's temper tantrums. "Every president has a lot of frustration," says a senior White House official. "They have a need to blow occasionally. George is someone the president can do that to. It allows Clinton to vent. George can absorb that and bounce back." He's a rare breed, a low-maintenance White House aide.

There are rewards. Stephanopoulos cherry-picks issues he wants to honcho. As White House point man on gays in the military, he was instrumental in working out a compromise with the Pentagon brass. He initially spurned a deal, believing Clinton should simply lift the ban on gays, as he had promised in the campaign. If Congress reversed that policy, so be it. One reason for Stephanopoulos's intransigence was the military's reluctance to compromise. When the Pentagon finally gave ground, he changed his mind, persuaded partly by national security adviser Anthony Lake's argument that doing what's right for gays serving in the military should be paramount, not what pleases gays in general. Once Stephanopoulos embraced the "don't ask, don't tell" compromise, the president soon followed. Yes, Clinton might have wound up there anyway, but Stephanopoulos facilitated it.

Stephanopoulos had two goals, changing the strict no-gays policy and easing Clinton's political distress. "The political problem was obvious," he says. "The issue killed us. We wanted to prevent it from being the only thing people know about this president." Once the compromise was reached, the issue receded, as Stephanopoulos had hoped. The new policy itself was less satisfactory to him. "I can't say I like it. I can't say it's a good outcome, but it's a necessary one. It was the least worst option." The president will ultimately be vindicated, Stephanopoulos says, and he's probably right. "The day Clinton signed the directive will be looked on as the day the military began to open up to homosexuals, not as the day Clinton broke his promise."

The way he handled the gay issue is key to understanding Stephanopoulos. He's a 1980s liberal. The ideology hasn't changed, but the approach to policy and politics has. 1980s liberals are constantly scaling back plans to carry out their policies, usually out of political necessity. As eager as Stephanopoulos was to allow openly gay people in the military, it wasn't worth the price of maiming Clinton's presidency. His liberalism was tempered during the Reagan-Bush era, those twelve awful years for liberals. Stephanopoulos spent most of the time in the opposition, working for frustrated Democrats on Capitol Hill and, briefly in 1988, for the Dukakis presidential campaign. He learned, first and foremost, that ideology is nice but power is almost everything in Washington. And power can't be exerted effectively without control of the White House. "I knew we wouldn't achieve any real change until we won the White House," he says. "You could work around the edges. You could stop the worst Republican proposals. But you couldn't move forward." Thus, he was bent on joining a Democratic presidential campaign in 1992, and he wasn't finicky about which one.

Two other things distinguish 1980s liberals like Stephanopoulos. They're comfortable with compromise, figuring it reduces political risk and can often be shaped in their favor, and they're comfortable with centrist rhetoric ("New Democrat," "rights and responsibilities"). As top-floor assistant to House Majority Leader Richard Gephardt, Stephanopoulos experienced up close how politically useful a compromise can be. The 1990 budget deal, in which President Bush abandoned his no-new-taxes pledge, laid the groundwork for Democratic victory in 1992, he believes, particularly by hoisting the issue of economic fairness. This issue spooked Bush and his advisers. The other mark of 1980s liberals is loss of faith in what liberal governance can accomplish. "There are limits to what government can do," he says. "Politics can't bring about a utopia here. It just can't." In fact, Stephanopoulos offers this advice: "Don't make grandiose claims for what government can do."

Well before his rendezvous with Clinton, Stephanopoulos had developed a reputation for sublimating his own opinions. "George has very fixed views of his own," says former Democratic Representative Edward Feighan of Ohio, for whom Stephanopoulos worked from 1982-84 and 1986-88. "But in any public setting, and in private ones, he will convey passionately the view of his boss." "He's a liberal," says Tom O'Donnell, Gephardt's chief aide. "But it doesn't get in the way of

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his doing his job." Stephanopoulos worked as "body man" for Gephardt from 1989-91, hovering constantly at his side. Gephardt was "more moderate" than he is, Stephanopoulos now says. Clinton is also. The president favors the death penalty; Stephanopoulos opposes it. Clinton backed Desert Storm; Stephanopoulos still doesn't.

Stephanopoulos's politics were not always so pragmatic. Though not active in left-wing causes in college, he delivered a jeremiad against nuclear arms in his salutatory address at Columbia College in 1982. (He had chosen Columbia over Michigan after being turned down by Princeton.) Stephanopoulos conceded nothing, certainly not the Thatcherite view that nukes, by making world war unthinkable, produced peace and stability. On the contrary, continued development of nuclear arms "intensifies our struggle with the Soviet Union," he said. "... The assumption that nuclear weapons bring security is as absurd as its existence today is sad."

He took the position that seeking to eliminate nukes was a moral imperative:

> The nuclear threat transcends short-term political concerns. It is a matter of sheer survival—not only for ourselves, but for all humanity, forever.... I realize that arguing against the arms race is a little like praising Mom and apple pie. Nobody likes the arms race, and I don't think you'll find many people, except for maybe Ed Meese, taking the pro side in a debate on nuclear war. But I think it's important to speak up against the nuclear buildup again and again because, while everyone opposes the arms race per se, the weapons continue to multiply, bringing us ever closer to the brink of a war that no one would win.

Stephanopoulos had a neoisolationist streak. He was fervently opposed to deployment of American cruise and Pershing missiles in Europe, a step designed to checkmate Soviet SS-18s. He thought, wrongly it turned out, that the European peace movement would block deployment. His senior thesis, "INF Modernization in Europe," was devoted to the subject. Upon graduation, he received an internship at the Carnegie Endowment in Washington and was assigned to the Arms Control Association. There, he got to know an oddball anti-nuke protester named Norman Mayer, who dropped by to hand out leaflets. Mayer offered a $10,000 reward to anyone who could prove nuclear weapons protect national security and deter war. In December 1982, Mayer was shot to death by police while threatening to blow up the Washington Monument. Stephanopoulos, then 21, was interviewed by Ted Koppel that evening on "Nightline." He was identified as an "arms control spokesman." He said Mayer was "a very genial man, but was obsessed by arms control." The Arms Control Association didn't want him as a member. "We try and promote responsible debate on the arms control issues, and Mr. Mayer wasn't along those lines," Stephanopoulos told Koppel.

The interview was Stephanopoulos's first appearance on national T.V., but it was also important for another reason. That day, he had sought a job with a newly elected congressman from his hometown of Cleveland, Edward Feighan. After watching "Nightline," Stephanopoulos says, Feighan hired him as his legislative assistant on the House Foreign Relations Committee. Stephanopoulos had brief congressional experience, an internship the summer before for Democratic Representative Mary Rose Oakar of Ohio. He drafted her floor statement denouncing Reagan's spending cuts for "balancing the budget on the backs of the elderly." Stephanopoulos wasn't worried about deficit reduction in those days. He was worried about Turkey, like many Greek-Americans, and Latin America. He persuaded Feighan to try to block aid to Turkey and worked against Reagan administration policy on Latin America. He (and Feighan) favored a cutoff of aid to El Salvador, then under attack by Communist rebels. He opposed aid to the Nicaraguan contras. "I thought it was wrong," he says. "I thought it was illegal. Just because the Sandinistas weren't the best people for running the country does not mean funding the contras was right." Asked if there would have been an election in Nicaragua without pressure from the contras, Stephanopoulos was unapologetic. "Who knows? You can't prove a negative." One morning in 1983, he made an urgent telephone call to Feighan, advising him to criticize the American attack on Grenada. "Nobody's going to support this invasion," he said. Stephanopoulos now says he was "way wrong" on public support for the invasion, but not on the substance. "It was a diversion. It was probably unnecessary. But it worked on political grounds."

In 1984, Stephanopoulos was accepted at Harvard, Columbia and Michigan law schools. (He was waitlisted at Yale, where Bill and Hillary Clinton went.) He didn't want to be a lawyer, but he promised his parents he would go to law school—unless he got a Rhodes scholarship. He got one, and studied moral theology, Christian ethics and Christian political thought at Oxford for two years. While he paid little attention to British politics, he knew he didn't like Margaret Thatcher, then prime minister. ("I thought she was Britain's Reagan.") After taking a theology degree, Stephanopoulos returned to Feighan's staff in 1986. During this stint, he traveled with Feighan on an official visit to Israel. "I think I'm pro-Israel," he says. "I believe it has to exist. Israel is our best ally [in the Middle East] and the only democracy.... But unless they address the problem of the Palestinians and the problem in their own country, they'll be overtaken by demographics, if nothing else."

Through the intervention of Nick Mitropoulos, a Greek-American friend and aide to Michael Dukakis, Stephanopoulos joined the Dukakis campaign after the Democratic convention. He was put in charge of the quick response team, which David Maraniss of *The Washington Post* wrote was "sort of like being in charge of scouting for General Custer." Stephanopoulos and his associates worked up clever responses to attacks by Bush, but Dukakis wouldn't deliver them. Still, he impressed campaign official Kirk O'Donnell with his "unerring sense of political opportunities and political vulnerabili-

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ties." After the campaign, Stephanopoulos took a job with Father Timothy Healey, then head of the New York Public Library. Soon he heard from O'Donnell, who had recommended him to Gephardt. When Jim Wright resigned in 1989, Gephardt had become majority leader, and he wanted a staff talented enough to help him run for president in 1992. Stephanopoulos couldn't resist getting in on the ground floor of a presidential bid. He signed up, along with Tom O'Donnell, Begala and David Dreyer, now deputy White House communications director. As Gephardt's lieutenant, he became intimately acquainted with the devices and desires of every Democratic House member. This proved valuable once he got to the White House.

In June 1991, Gephardt decided, against Stephanopoulos's advice, to run for president. The next day Stephanopoulos began looking to hook on with someone who would. He met with Senator Bob Kerrey of Nebraska and liked him. But Kerrey's campaign manager, Sue Casey, made it clear to Stephanopoulos that he wasn't wanted, at least not by Kerrey's top strategists. Kerrey called him back for a second talk and Stephanopoulos went. The senator wanted to hire him, but the Casey meeting had created a chill. Meanwhile, Dreyer asked John Holum, a Washington lawyer who knew Clinton, to arrange a Stephanopoulos-Clinton meeting. They met at the Capitol Hill office of Clinton's pollster, Stan Greenberg. "I liked him," Clinton told me. "He knew a lot of things I didn't know. I knew he'd always tell me the truth. I knew he wouldn't be afraid to. I was right about that."

Clinton recognized a useful asset when he saw one. Stephanopoulos knew Washington reporters and every Democratic House member, was up to speed on foreign and domestic issues and had presidential campaign experience. Clinton hired him as deputy campaign manager, though he had no campaign manager at the time.

Stephanopoulos worked mostly in Little Rock but still managed to raise questions about whether he violated a federal ethics law that bars former government employees from lobbying ex-colleagues for a year. Republicans were scrupulous about avoiding the appearance of a violation. Secretary of State James Baker became Bush's chief of staff, partly because he'd be barred from contacting Cabinet-level officials if he were campaign manager. Robert Mosbacher, the former commerce secretary who became Bush campaign chairman, stopped going to White House meetings. In 1991, Bush aides and members of Congress sought to carve out an exception for officials who join campaigns. At one meeting on the legislation, Stephanopoulos's name came up, but Bushies usually referred to the exception as the "Yeutter fix," after Clayton Yeutter, who had switched from agriculture secretary to Republican national chairman. In any case, the exception died in the Senate after passing the House. Stephanopoulos insists the ethics law never applied to him because his congressional salary, $90,000, fell below the $92,000 threshold for covered officials. Actually, the law applies to "a former employee who, for at least sixty days, in the aggregate," earned $92,000 or more. Stephanopoulos got $9,591 a month in at least two months in 1991, an annual pay rate of $105,000. But this, Stephanopoulos says, was illusory. He was paid from two separate payrolls, the majority leader's and that of Gephardt's congressional office. Other months he earned far less. And even if the law technically applied, Stephanopoulos says he never lobbied anyone in Congress during the one-year "cooling off" period. There was "only an exchange of information" at meetings he attended with members of Congress, he says.

Like Clinton, Stephanopoulos has extraordinary getting-along skills. He inspires loyalty. "He transcends our generation," says Kevin Thurm, a friend from Oxford who is chief of staff to Donna Shalala, secretary of health and human services. Democratic Representative Robert Torricelli of New Jersey says his confidence in the Clinton administration is based largely on knowing Stephanopoulos. Carville says Stephanopoulos was "much of the reason" he and Begala joined the Clinton campaign. "George doesn't have an attitude," adds Dreyer. But Stephanopoulos failed miserably to win over one group, the White House press corps. Reporters found him aloof and unhelpful. They were irritated at his rule barring them from hovering around his office. The rule "was stupid," Stephanopoulos concedes. "I can't defend it." At briefings, he was awkward and defensive. During Travelgate, he mounted a full-scale defense of White House actions, the effect of which was to balloon a flap into a near scandal. Stephanopoulos was aware of his shortcomings. Weeks before Gergen arrived, he and Mack McLarty, the White House chief of staff, began planning to find a new communications chief. Still, when he stepped down, he became the scapegoat for all of Clinton's mistakes. Carville, for one, called reporters to "spin them right" on Stephanopoulos, telling them that he wasn't being demoted. Carville got nowhere.

Now Stephanopoulos has another self-generated problem on his hands. To sell the budget, Clinton made promise after promise—"commitments," in White House jargon—to House members and senators, often on Stephanopoulos's advice. Stephanopoulos scribbled all of them down, many obligating the White House to push for new spending restraints. This plopped another difficult issue—in addition to health care and the North American Free Trade Agreement—on Clinton's agenda this fall. Stephanopoulos calls it "reinventing government," after Vice President Al Gore's task force on streamlining the federal bureaucracy. But Gore wasn't supposed to produce big spending cuts. Nor is the Democratic leadership in Congress eager to do so. They couldn't find another piddling $4 billion in spending cuts to boost projected deficit reduction in the budget from $496 billion to $500 billion. And the budget process is over for this year. So how is the White House, with the whole world watching, going to redeem its promises? It's up to Stephanopoulos to find a way. •

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Bill Clinton and the danger of selective interventionism.

FROM SARAJEVO TO JERUSALEM

By Martin Peretz

I.

When the cold war ended, many people in the United States, in government and out, on the left and on the right, seemed glad to be relieved not only of the cold war, but of foreign policy itself. The disappearance of the great external threat seemed to mean we could turn to the great internal threats. It was not long, however, before the great surprise was sprung: the end of the cold war marked the beginning of a more complicated world. Where there was one large external threat, there were now many small external threats; but not so small as to be negligible, and large enough, in many parts of the globe, to seem genocidal.

The need for American foreign policy, in other words, persisted. There was Iraq and then there was Somalia, though George Bush went reticently into both. It was a kind of bad joke on the United States: our great triumph in international relations created the need for a greater degree of sophistication about international relations. And then another kind of bad joke was played on us. A president was elected who was not exercised by foreign policy, was not familiar with it, was not in the mood for it.

Since American foreign policy is primarily the work of the executive branch, there is now a vacuum at the heart of American foreign policy. Or more precisely, there is a vacuum into which a variety of old and unexamined assumptions and attitudes are rushing. And so the Clinton foreign policy has so far been a series of improvisations (some of them, such as the commitment to a more democratic and more solvent Russia, the right improvisations), plus one clear and unexpectedly candid enunciation of doctrine by a senior American policy-maker.

That momentous truth-teller was Peter Tarnoff, who in no time at all became the Helmut Sonnenfeldt of the Clinton administration. Sonnenfeldt, remember, was the author of a doctrine, which was that the United States had to accede to Soviet domination of Eastern Europe. Tarnoff is the undersecretary of state for political affairs, a distinguished alumnus, like his boss Warren Christopher, of the Carter administration's foreign policy apparatus, and it was he who blurted out the new doctrine to a group of journalists. The Tarnoff Doctrine is that this administration need not be much interested in problems, or in duties, beyond our borders. "We simply didn't have the leverage, we don't have the influence, the inclination to use military force. We don't have the money to bring positive results." According to this doctrine, then, the United States must accede to everything.

A few hours after Tarnoff's pronouncement, Christopher was all denials and refutations. And a senior White House official insisted, as if his insistence alone would undo the damage, that "it is simply not right to in any way suggest that we do not want to take a strong leadership role abroad." But Tarnoff's words seemed more than the awkward expression of an idiosyncratic view of the world. They sounded, alas, deliberate and well considered, an expression of the collective inner voice of Clintonism. More to the point, they stood in no contradiction at all to the response of the administration to its greatest moral and historical challenge, so far: Bosnia, where even 200,000 deaths, genocide and mass expulsions have not prompted the United States to countervail against the habitually pusillanimous European allies. So, while all of this Balkan carnage was in our faces on CNN, Tarnoff, speaking with a serenity that evoked the sangfroid of John J. McCloy and Loy Henderson during the genocide in Europe a half century ago, didn't even feel he needed to hide behind a veil of ignorance or incapacity: "Are people dying because the United States could do more if we wanted to? Yes, the answer is that." Not too many weeks later the secretary of state, with his famous lawyerly cool, added his own postscript, that "the United States is doing all that it can consistent with our national interest." This is not only grotesque; it is also false. How could it be in the national interest of the remaining great power to be an unmoved witness to mass slaughter?

II.

Then something strange happened. Just as the administration's approach to foreign affairs—its mixture of Carterite isolationism and Clintonite indifference—was becoming grimly clear, a great exception was announced. There would

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be one area of the globe in which the Clinton administration would act vigorously, one problem about which it would conduct itself in the old-fashioned interventionist manner. That area is the Middle East, and that problem is the Arab-Israeli conflict. Only weeks before Tarnoff's "gaffe," and in stunning contradiction to it, the Clinton administration announced its intention to be a "full partner" in the negotiations between the Israelis and their Arab interlocutors. These on-again, off-again peace talks should soon be in their eleventh round, the first ten having been rather desultory; but suddenly their desultoriness is too much for the administration to bear.

The first ten were orchestrated, of course, by the Bush administration. And in this area at least, the administration seems delighted to continue a Bush policy. The continuity can be seen most graphically in the person of Dennis B. Ross, the architect of the distinctly anti-Israel Bush-Baker policy in the Middle East (and Bush's chief foreign affairs adviser in the 1988 campaign), whose services Clinton has retained, even though in the campaign Ross played a part in denigrating Clinton's foreign policy expertise.

But Clinton's policy is not simply Bush's; and Ross has shown that he swings both ways. The friendship of the Clinton administration for Israel is not in doubt. It seems even to extend to Christopher, who has refused to repeat the mantra, so long reassuring to the Arabs, that the entire West Bank and East Jerusalem are "occupied territories." This vernacular, he says rightly, is "almost theological." If everywhere is occupied territory, then everywhere has to be given up, and that is not at all what the United States intends. Implicit in Christopher's dismissal of this shibboleth is, finally, evidence that the U.S. government accepts that what is on the table, from the most conciliatory Israeli government since the early '70s, is, though very substantial, not 100 percent of anything: not 100 percent of territory or water rights or airspace and certainly not 100 percent of sovereignty, traditionally conceived. And so the diplomatic dynamics in Washington *have* changed.

And, of course, the political dynamics in Israel have changed too. Israel recognizes that it needs a change in relations with its neighbors. Its military vigilance is financially costly and psychologically draining. The pressure of the conflict slows (though it doesn't stop) the continuing flow of two valuable assets from the outside: capital and immigrants. This flow actually emboldens Israel, and it should give pause to its neighbors. New capital assures that Israel will remain a cutting-edge scientific society in a region that is still in its first confounding encounters with modernity. The new immigrants have already devastated the Palestinian hope that they will eventually overwhelm the Jews demographically.

There are also many hard indices of Israel's inclination for real compromise. One of these is that the Likud opposition is suffering from borderline hysteria about what Yitzhak Rabin has already conceded. Among his most recent substantial inducements: that the Arabs of East Jerusalem have the vote in the autonomy elections for the West Bank and Gaza, that members of the U.S. Congress monitor these elections, that an indigenous Arab-run and Arab-staffed police force be established in the territories and that other local functions be transferred even before a comprehensive agreement is signed. Indeed, the Israelis have already permitted cohorts of Palestinian Arabs associated with the Palestinian delegation to go to Jordan and Egypt for police and security training, a move that has angered and frightened the Jewish settlers in the territories who know that these men are not exactly inexperienced with guns. Washington had pressed the Rabin government to readmit some of the thousand or so PLO militants who had been expelled during the last quarter century, and it did. Meanwhile Syria, which had been allowing a few of its pitiful 4,000 captive Jews to trickle out, has once again blocked their way. And, of course, from the Palestinians, there were no reciprocations asked.

Encouraged by their successes spanning two U.S. administrations, late in the spring the Palestinians put out yet another demarche: they wouldn't appear in Washington unless the United States prevailed on Saudi Arabia and other Gulf states to reopen the aid spigot to the PLO, which had been shut since Yasir Arafat and the Palestinians teamed up with Saddam Hussein against his old monarchical patrons. The Clintonites were not averse to this transaction; better to succor the cadres of Fatah, they reasoned, than have to deal with the faceless clerics of Gaza. (These differences are much sharper on "All Things Considered" than they are in reality.) And Jerusalem assented, as well. For the Saudis, however, the suspension of aid to the PLO after 1990 had been emancipating, suggesting that they might finally escape their role as the rent-a-mob paymaster of the Arab wars. To "advance" the peace process, in other words, Riyadh's release from its Palestinian indenture was forfeited. The extortionate process, of which the renewed bankrolling of the PLO was only an instance in extremis, is intrinsically asymmetrical. Not altogether unlike the Bush administration, the Clinton administration appears to think that the Palestinians require (even if they don't deserve) Israeli concessions merely for showing up. Israel, by contrast, is supposed to make *real* concessions merely to get to the talks.

Such transactions had made previous Israeli governments apoplectic. Not the Rabin government. This Cabinet views yesterday's taboo as today's totem. The elaborate ballet, which ended mid-August with three members of the Palestinian delegation to the talks becoming members of the PLO executive council (rather than three members of the executive council becoming delegates), was in no small measure due to Jerusalem's choreography. It also was what the celebrated tiff between Arafat and Hanan Ashrawi, Saeed

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Erakat and Faisal Husseini was really all about. They were speaking for the Palestinians, not for Arafat—or so they said.

But was the divergence one of policy or positioning? In *Cruelty and Silence*, the Iraqi writer Kanan Makiya sees the division between the West Bank Palestinians and the Tunis-based Palestinians as "a fundamental choice between two concepts of freedom," with the West Bankers possessing the moral high ground. But on what principles or issues had they articulated such differences? On terrorism? On Baath Iraq, which Makiya rightly calls "the most barbarous dictatorship the modern Arab world has known" but toward which, his own evidence shows, these same Palestinians feel God-is-Great enthusiasms? On democracy itself? The easy reunion of the factions after a public polemic whose resolution was never in doubt should disabuse us of Makiya's facile promise. At any rate, in the polemic it was the putatively moderate Palestinians of the territories who accused Arafat of backsliding. The Israelis were willing to accede to yet another "confidence-building" gesture, this one to both the delegation and the PLO. Within weeks Israeli officials and designated surrogates made more than a half dozen high-level contacts with the PLO, and one of these, a furtive meeting in an airplane in Cairo, apparently was by Foreign Minister Shimon Peres himself. While Rabin viscerally opposed such moves (as did most Israelis and American Jews), he did not impede them. Yitzhak Shamir had clung to the legal fiction that the delegates he dealt with since the Madrid talks weren't actually PLO members. Rabin had always acknowledged that the fiction was just that, and it was inevitable that he would bow to the majority of his Knesset party colleagues and let the PLO in.

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It's not surprising, then, that other tough-minded Israelis actually welcome the now acknowledged presence of the PLO at the negotiations, because they believe it puts to rest the diversionary complaint that Jerusalem wasn't allowing the Palestinians to choose their own representatives; and it puts this to rest just at the moment when Arafat's organization is all but in tatters. Now we shall see whether the arrival of the Palestinians in Washington, decked out in the PLO regalia they'd always said they had worn on their hearts, makes the delegation more realistic or less. And if it is less realistic, will that derail what Washington sees today as the far more promising dynamic with Syria? This might even be a Palestinian motive. For, in the absence of movement on the territories, an Israeli-Syrian agreement would leave the Palestinians wholly adrift, deprived of even the crumb of comfort that some salient Arab state cares about their distress, and dependent only on the perhaps transitory Israeli desire to end the morale-draining status quo. In any case, this is the moment of truth for the Palestinians: we will soon see whether the PLO will settle for what Hamas militants disdain.

The question may no longer be "will the Palestinians come?" but "will the Palestinians stay?" For if the Israelis are now truly ready to deal, it is by no means clear that the same can be said for the Palestinians. First, there are the histrionics. Last time around they sent not a full complement of ten delegates to the Washington talks, but only three. This was to protest the fact that Israel hadn't allowed the re-entry of more Muslim extremists from their stage-set exile in Lebanon, although they had taken plenty, and the rest will be back (some sent back to prison) by year's end.

The one Communist on the delegation has quit to protest—it's not clear exactly what. Then there was the usual psychodrama of whether Palestinian representatives would or would not see the emissary of the secretary of state. This is not simply to make themselves appear hard to get. Large segments of the Palestinian population oppose the negotiations altogether, including a hefty majority in Gaza. These people believe that they will somehow dislodge Israel without negotiations, not only from the territories but from the region. They can never be satisfied, and they are much feared by those now dealing with Israel. But these interlocutors also fear elements described as "more moderate," those who expect all of their demands to be met not through fire but in the peace process. Yet, the fact is that Yasir Arafat won't raise his flag in Jerusalem, and there will be other disappointments too. Because they are fearful of saying "yes," Palestinian politicians have persuaded themselves that time is on their side, and that the closer Israel gets to elections the more forthcoming Rabin will be with concessions. It's a strange analysis. In an electoral campaign, Labor's only serious enemies are on the right, and that's where the competition for voters will be. Some Palestinians surely must grasp that if Labor doesn't produce an acceptable settlement for the electorate, it will return the Likud to power, with Benjamin Netanyahu at the helm. This cannot be a happy prospect for the residents of Nablus.

The opening for the Palestinians to begin the proper

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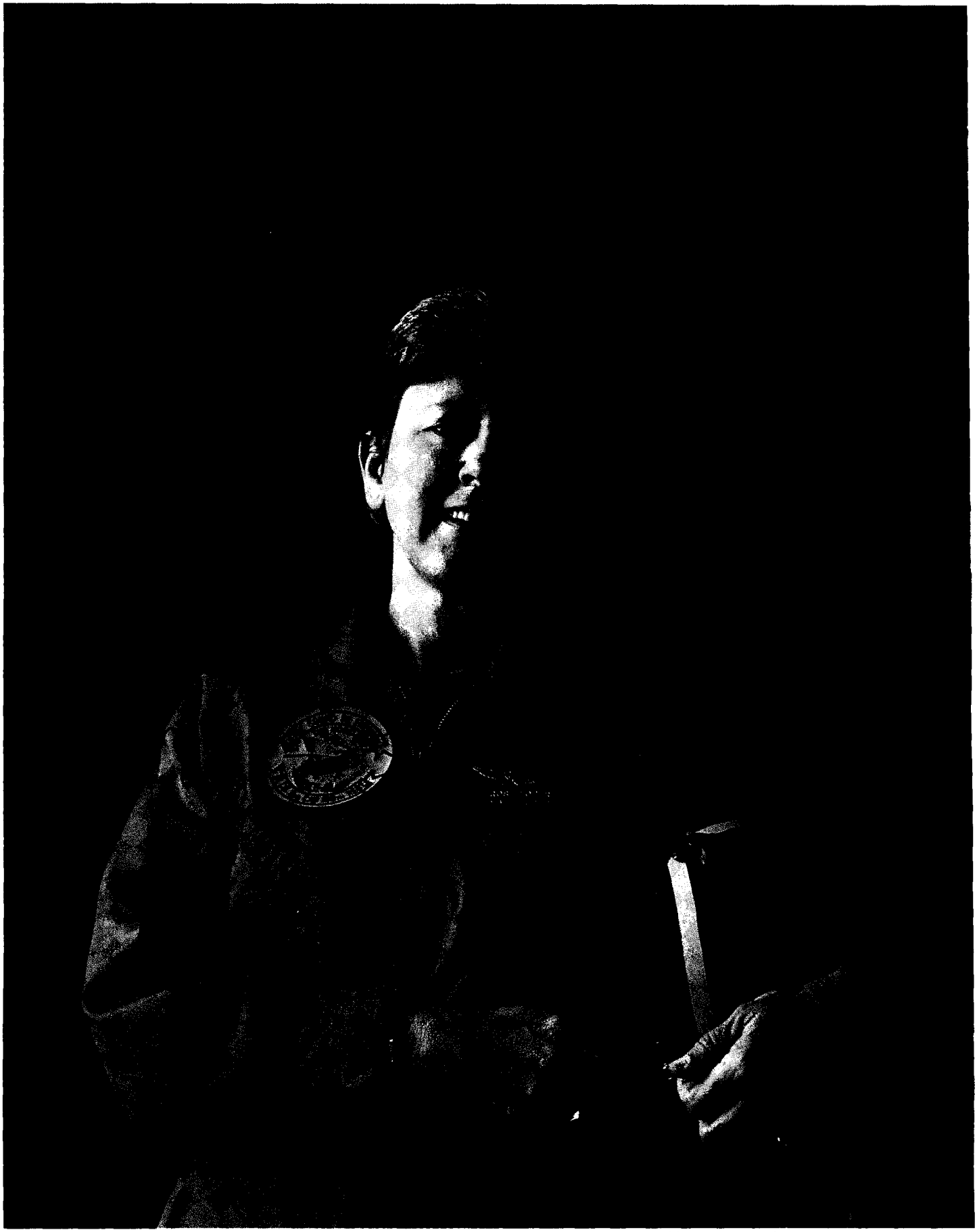

Major Rose Loper, Chief Warrant Officer Ralph E. Plummer, Staff Sgt. James D. Allen, U.S. Army Reserves, A Company, 6th Battalion, 158th Aviation Regiment.

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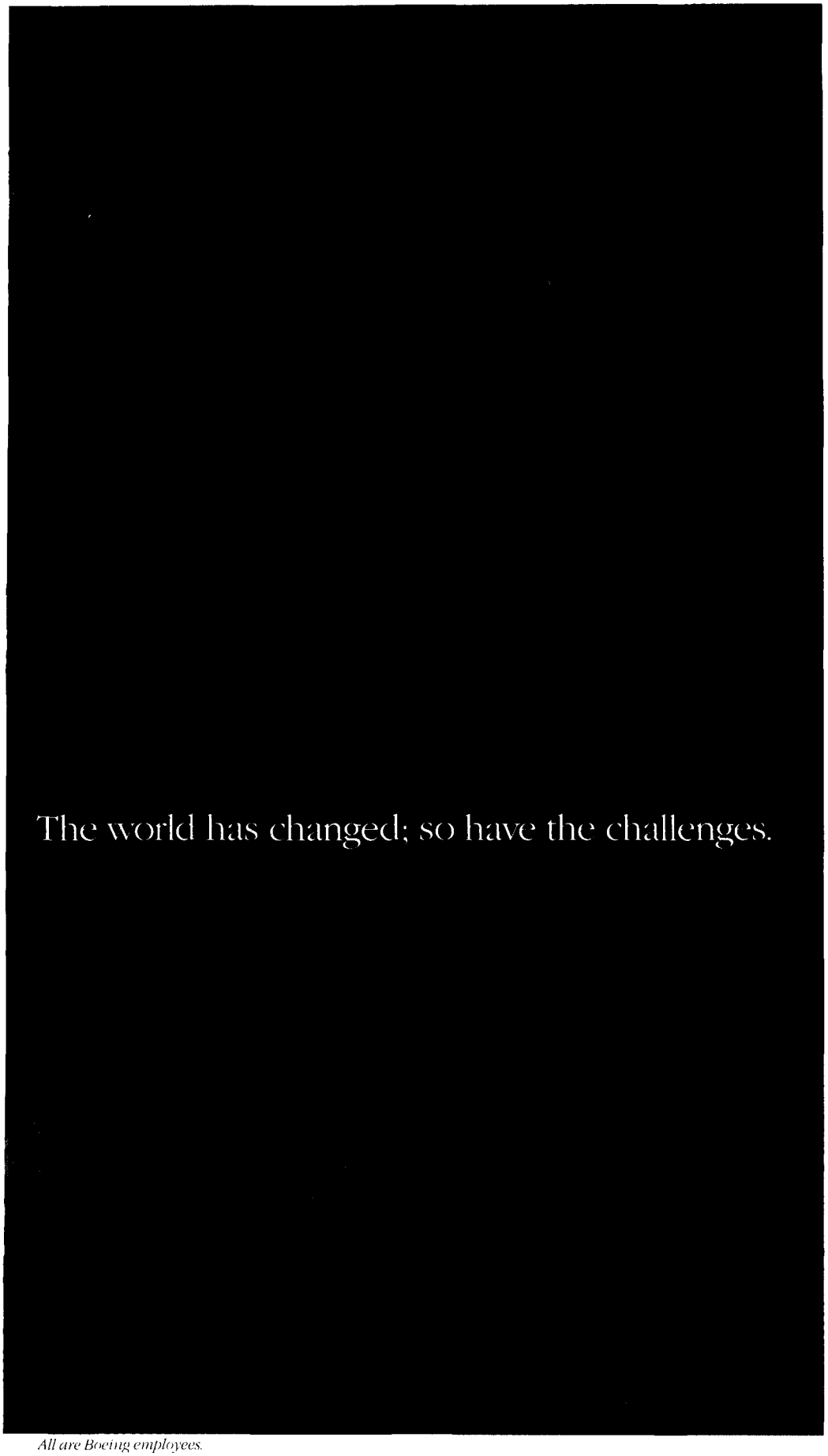

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life of politics requires of them more realism, however, than they have ever demonstrated. The head of their delegation, Dr. Haidar Abdel-Shafi, actually seems physically incapable of saying "yes" to the possible. He and his colleagues have not moved from their old positions. "The important thing," Abdel-Shafi intones, "is that Israel should concede the Palestinian right in Jerusalem ... [otherwise] it will kill the peace process." And, of course, there are the other demands that, if unsatisfied, will also "kill the peace process." But these are far beyond anything to which Israel will agree; and it is meretricious, for anyone interested in peace, to suggest otherwise. It is important to note also that this is a world in which not every ethnic group's ambitions for sovereignty can be met, as most sensible observers seem to realize. It is mystifying why so many outsiders assume that somersaults must be done to secure for the Palestinians what dozens of historic nations live without, the Kurds and the Berbers, for example. But were Israel somehow to satisfy the maximum present demands of the Arabs who are at the table this would not, I fear, be the end of it. It wouldn't even be the end of it for them. And it certainly wouldn't satisfy Hamas and Islamic Jihad. It would also not satisfy the far-flung constituencies of the PLO. Some Middle East hands at State and in the NSC share this skepticism, which is why they're more eager to pursue a deal with Syria's Hafez Assad, who is seen as knowing what he wants and able to deliver what Israel requires. From the perspective of security, of course, peace between Israel and Syria would be of momentous valence.

III.

But the conflict with the Palestinians is the heart of the problem for Israelis, at least psychologically, as everyone knows. And here is the danger to Israel. American brokers, even friendly brokers, will inevitably and continually be in the position of trying to talk the Israelis out of their anxieties. U.S. officials feel an enormous political stake in the talks—not more enormous than Israel's, but enormous nonetheless. After Bosnia and lesser humiliations, the foreign policy apparatus needs to achieve *something*. Other administrations have been similarly enticed into the Middle Eastern souk. Since the United States has very little leverage over the Arabs, it will, at an impasse, push the Israelis. It wouldn't take much of an impasse to persuade the Arabisants at State to pull from the files their favored nostrums for solving the conflict. This means that Rabin needs to agree in advance with President Clinton on what he will not expect of the Jewish state. There needs to be a mutually understood limit to possible Israeli concessions. Washington's attitude also prevents it from grasping Israel's fears of the volatility of the Arabs and of the intra-Arab struggles for which the struggle against the Jews is a fig leaf. This is more than a failure of empathy. The demands of the Arabs seem so simple, so natural, almost axiomatic; and the forebodings of Israel seem so strained, so untrusting, almost phobic. But these forebodings are not irrational. And what increases these forebodings is the historic inability or the unwillingness of even friendly U.S. governments to understand what lies behind them.

Clinton provided one telling instance of just such misunderstanding in his July 27 comment about the events across the Israel-Lebanon border. "I think the Syrians have shown commendable restraint so far, and I don't think we should let Hezbollah and all these groups that don't want anything to happen in the Middle East derail the peace process." But Lebanon, thanks to James Baker, is effectively Syrian territory. It is, moreover, incontestable that Syria provides substantial backing to these Muslim extremists, and that they (and radical Palestinian militias) operate under its patronage and protection. More to the point, the weapons the Party of God uses in its attacks against Israel arrive from Iran through Syria. According to *The New York Times*, even senior administration officials admit that "the group would have been unable to mount such an ambitious operation against Israel without Syria's direct help." So what exactly did the president mean by "restraint"? It is true that Syria has a formidable war-making capability. But which country would re-arm it after a withering war with Israel? The ten-day Israeli move into Lebanon earlier this summer was not randomly timed. It followed escalation of the Hezbollah rocket routine against Israel's north. But it was also meant to inform Damascus that an agreement over the Golan was not the only precondition of Syrian-Israeli peace. The guns of Syria's well-armed Lebanon clients would also have to be stilled, which they have not quite been.

This episode should be instructive, particularly to the United States. The peace we are hoping to broker between Israel and the Arabs will be elusive enough to attain. It requires the cooperation of various states and a coalition of Palestinian interests. But the Middle East is a strange locale. Its Arab states do not possess what modern political theory recognizes as legitimacy. This means that they do not truly represent their subjects, and in many cases they cannot control them, and often they don't. A treaty with such states is not really a contract, because it can't bind all the relevant actors. In this region, moreover, two of the relevant actors are Iraq and Iran; and how these governments or their proxies behave toward Israel is not about Israel at all, but about the wars of the Muslims against each other. This, presumably, is not on Washington's agenda. Because it is not—and it can't be—there should be a certain modesty about what U.S. diplomatic intervention can achieve over the long haul.

The Clinton administration, on this matter as on many others, is deeply divided against itself. Two strands lurk in the background: the old Carterite pressurings of Israel, based on a deep and slightly odd sympathy for both the downtrodden masses of the Arab

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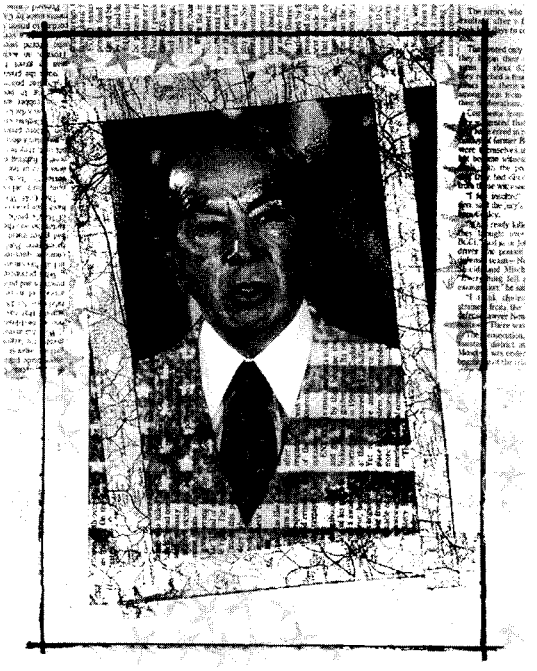
world and the tyrants who rule them, and a newer and more realistic approach animated by Bill Clinton's and Al Gore's proven support for Israel's core positions. There are also the handful of American supporters of the Israeli Peace Now movement—Sandy Berger, Peter Edelman, Eli Siegel—who are close to the president and might persuade him that it is time to "trust" the Arabs and to pressure Israel to take more of what they bravely call "risks for peace," as if they would live with the risks themselves. (And there is the increasingly bizarre case of Michael Lerner, who seems to have Hillary Clinton's ear at least some of the time, and who seems to have never met a Palestinian who doesn't want a settlement with Israel.) But the counsel of all these men is at odds with Clinton's own statements; and he might note, too, that these are folk from precisely the wing of the Democratic Party that pushed his presidency into the potholes of his first six months.

Some of American policy will inevitably disconcert Israel. And some of this is because of deep historical changes. America's and Israel's common interests are certainly less and different than what they were in the cold war world. There are no longer any Soviets to exploit anything; and by the same token, services by allies and clients, Israel included, carry less weight. Yet this "realism" should not obscure reality: for instance, the reality that siding with Israel can't any longer vex our relationship with the other big power. Or the reality that our need for a steady oil flow will not be adversely affected by what we don't do for the Syrians or the Palestinians. (It was we who rescued the Saudis and the Kuwaitis, not they us.) Or that other reality that the revival of Islamic extremism is not a consequence of Zionism, but about the inability of different Arab societies to accommodate to the democratic and productive paradigms of modern life.



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IV.

It is hard to argue, in sum, that there is some crucial American interest in what happens in the alleys of Hebron. This is a sideshow for Americans. For all of the Clinton administration's spasms of activism in the region, the energy and imagination for the momentum of the peace process now comes from Israel. This may not always be so. But Israel's initiatives and the unsteadiness of the United States suggest a number of axioms for genuinely realistic American policy in the Middle East. First, the United States should not counsel what it cannot ensure; we have no right to expose Israel to dangers we are unable or unwilling to prevent. Second, a defeated aggressor must pay some tangible price for his attempt at conquest. Third, history matters.

Perhaps two decades ago the United States might still have been a credible guarantor of complicated peace arrangements between Israel and its Arab neighbors. That is no longer the case. And it wasn't Peter Tarnoff who sprang this realization on the country. To be sure, after the Gulf war, we experienced a restoration of international self-confidence. But, though he strutted vaingloriously for a bit, George Bush squandered this confidence and the tonic effects it might have had, by ensuring Saddam's survival on the morrow of his defeat. At best, we were left with two polar paradigms of war: the quagmire of Vietnam and the easy rout of Iraq, with nothing in between. "Decisive force" or decisive indifference. This might be called the Powell Doctrine. And since Bosnia could not be precisely like Iraq, it was imagined by those who wanted to do nothing there that it must be like Vietnam. For better or for worse, in other words, the new concepts of American strategy leave us very uncomfortable in the position of enforcer of the peace. Already in 1967, when Egypt closed the Straits of Tiran to the Gulf of Aqaba, Lyndon Johnson failed to produce on a U.S. commitment to keep the seas open to Israeli shipping. (Of the naval powers, only little Holland was willing to run Nasser's blockade.) Now more than ever, the American nation, which is psychologically not prepared to police its own borders, certainly can't police the borders of others. Rather than deflect violations, a U.S. presence as an insurer of the terms of peace would invite mischievous and dangerous testing of American resolve, much as Saddam and Slobodan Milosevic have done. Moreover, given the "downsizing" of the U.S. military and the strategic circumscription of its scope, our ability to react quickly to border violations and aggression is something allies cannot count on. Israel shouldn't be asked to. Whatever new lines might be drawn in the Middle East will not be clean ones; they will be serpentine, separating abutting villages and neighborhoods. The territories in dispute are not like the Sinai, whose vastness is itself a guarantee against violations. The peace treaty, therefore, should not be predicated on significant U.S. participation. Washington cannot be expected to assure that terrorists don't cross borders, that water has not been illegally drained from the aquifers, that arms have not

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been infiltrated where they have not been permitted. Any agreement should be one that Israel could enforce. It should be for Jerusalem to decide what is a casus belli.

There is another kind of concession that the United States should not ask Israel to make, and that is to forgo its nuclear deterrent. The reasons for this are not difficult to gauge. The non-proliferation regime has proved useless, especially in the Middle East. Neither the United States nor the U.N. has much standing as a certifier of nuclear forbearance, and Washington would be silly to offer itself as warrantor of Arab restraint. U.S. intelligence persistently underestimated how close Iraq was to acquiring a functional nuclear capability. But the CIA now believes that Iraq is again at work on its nuclear project. For years it was argued that no Arab power would actually target Israel with unconventional weapons because these would hurt the Palestinian population. But the SCUD attacks of the Gulf war show the limits of Arab unity. In any case, what motivates Arab states to acquire nuclear technology is not Israel alone. Iraq's atomic enterprise also reflected its designs against Iran and Syria, which have their own unconventional weapons ambitions. Nuclear peace (and chemical and biological peace), then, depends on more than the relations between Israel and the Arabs. Before forfeiting its nuclear advantage, Israel would have to ascertain that its Muslim neighbors were at peace with each other and with everyone else. This will happen when the lion lies down with the lamb.

The principle that aggression not be costless is a prerequisite of such justice as there is in international affairs. But this is not only a matter of principle. It is also a practical matter. A defeated aggressor should not be able to lapse into bad habits. Israel's possession of the Golan Heights, for example, allows it to see into Syria and beyond. Even real-time satellite intelligence from the United States, which Washington hasn't provided, would not compensate Israel for the loss of this intelligence advantage. For something approaching real peace, however, a part of the Golan will be returned, the rest, perhaps, under some squishy formal formula. And yet Israel cannot afford to lose its capacity to know what the Syrian army is doing. Moreover, were Syria to return to the Heights overlooking the lowlands across the north of Israel, the temptation to harass might prove irresistible. Here, a not altogether symmetrical formula for military pullback might be useful, with appropriate policing mechanisms: the Israeli army moves its tanks back from its present lines with Syria, and the Syrian army also moves back from those same lines.

Traditions of aggression must be taken into account in the disposition of the other occupied territories too. The West Bank and Gaza are at the core of the territorial problem, though in different ways. No one really wants Gaza. It has connoted misery for a century (not just since 1967, as most journalists, who are historical ignoramuses, seem to think.) When the Egyptians occupied the Strip from 1948 to 1967, they made no move to incorporate it or its inhabitants but put a cordon sanitaire around it. At Camp David, it was Cairo's to ask for, and Cairo didn't ask. When and if the Israelis leave Gaza, it will become a killing field among the Palestinians. Not that the West Bank will be a peaceful place; but it has economic possibilities. Moreover, some 90 percent of the Arab population lives in two flimsily linked swaths of territory that together make up some 80 to 85 percent of the land, depending on who's drawing the map and on who's counting. Only here and there are there many Jews. This is the Palestinian heartland, and in due course Palestinian flags may fly there. But there can't be Palestinian tanks. A long strip on the Jordan should remain part of Israel, annexed and settled. The only Arabs in this area are the 10,000 residents of Jericho who can easily be tied by politics and corridor to the heartland. The annexation of the area known as the "eastern column" gives Israel the precise defenses it needs to deflect an offensive from the vast stretch of Arab land to the east. Legally the West Bank belongs to no one, as many authoritative international legal scholars have pointed out. (See "Resolved" by Eugene V. Rostow, TNR, October 21, 1991.) Properly, it is "disputed territory" more than it is "occupied territory." The fact is that no Arab government has ever been sovereign in these lands, the last sovereign having been the Turkish sultan. In fact, all of the states that are party to the Arab-Israeli conflict (Syria, Lebanon, Jordan, Iraq and Israel itself) owe their existences to the collapse of his empire and to the disposition of its territories by the allies after World War I. The Jewish right to settlement in the area goes back to Article 6 of the Mandate, awarded to Great Britain by the League of Nations; it is protected against impairment by Article 80 of the U.N. Charter. As there can be no mass "transfer" of Palestinians, there can also be no mass "transfer" of Jews from the territories. The Arabs may not like the territorial compromises that flow from these realities; but they had better be instructed by the United States that no settlement will be acceptable that will seem premised on the feeling that this conflict was born yesterday.

Finally, there are the grander, but no less pressing, demands of history. When the ancient Jewish Quarter of the Old City of Jerusalem fell to the Arab Legion in 1948, all of the Jews were expelled, in an act of ethnic cleansing that was replicated elsewhere on the West Bank of the Jordan river. The armistice agreement did assure Jews access to the Western Wall and also to the Hadassah Hospital and the Hebrew University campus on Mount Scopus. These provisions, however, were never honored. When East Jerusalem and the Old City fell to Israeli troops in the Six-Day War, there were some Arab refugees who left, but there were no deportations. The Dome of the Rock and Al Aqsa remained under the supervision of Muslim authorities, and the city itself was open to pilgrims even from countries still at war with Israel. Israeli sovereignty has not impinged on the religious rights of Muslims,

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and it has expanded the religious rights of Christians, which were severely restricted during the near two decades of Jordanian occupation. In the more than quarter century since the war, the number of Arabs and Jews in Jerusalem has increased, and the construction that has taken place now makes it literally impossible to draw clear lines separating either turf or people. But Arabs walk and work freely all over Jerusalem. It is one city, then, and, like it or not, a city with a contiguous band of Jewish population at its circumference. In 1996 it will be three millennia since King David made the city the capital of the Jewish commonwealth. (In the game of antiquity, the Jews have rather an advantage.) Take it as a given: that's what it will remain, diverse but undivided.

V.

The Palestinians now have few options. They can either negotiate more or less what is on the table or solace themselves with febrile hopes and delusionary enthusiasms. The previous occupants of the White House did have a simple plan that fed these illusions. This plan envisioned an Israeli return to the 1967 frontiers—those then seemingly sacrosanct demarcations that were never recognized as borders, least of all by the Arabs, but were only the haphazard, in-place cease-fire lines of 1949. The Israelis were to cross their fingers and hope. By the end of his term, moreover, Bush was obsessed with the bizarre notion that he owed the restoration of this cartography to Saudi Arabia for having permitted him to save the kingdom (and Kuwait) from Saddam. But George Bush was defeated and with him his antediluvian designs. The new kids in town are not interested in old maps.

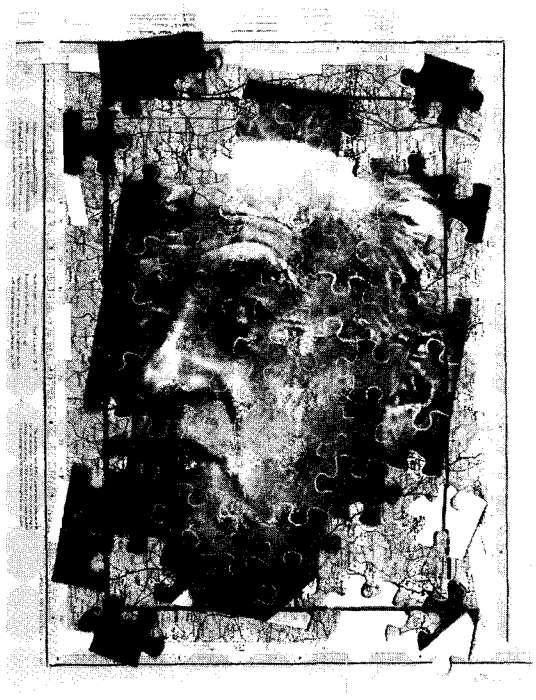

ILLUSTRATION BY TOM PRESTON FOR THE NEW REPUBLIC

Still more upsetting to Israel's interlocutors should be the obvious fact that the world is fast tiring of the Palestinian grievance. This is not surprising; these aggrieved have been unwilling to see their grievance appeased. (They are not the first people to prefer the status of victim to the ambiguities of a compromise; but the way they tarry, they may be the last.) The European Community, which could once be counted on to hector Israel on behalf of every Palestinian demand, has rudely told the Palestinians that this may be their last chance. As one high Eurocrat reported, "We've told them to stop whining and get on with it." A sign of the times; and there are others. In addition to this, Israel's diplomatic isolation has ended. Even the Muslim states of the ex-Soviet Union are developing ties with Jerusalem. China has just inaugurated a weekly flight from Beijing to Tel Aviv and has a substantial trade deficit (alas, some of it in arms commerce, but mostly in communications electronics) with Israel.

Also, Israelis need to lower their expectations. They cannot dissolve, they can only mute the hostility amid which they live. To the Arabs, the Jews will always be usurpers and interlopers. Xenophobia in our time is not the disposition of the Arabs alone. But in an age when the state conflates politics with identity, Arab Islam, suffering from feelings of inferiority about Israel and the West, is especially xenophobic, thinking of the Middle East as its world and its world alone. However forthcoming the Israelis will be in a settlement, they will still have to live inconclusively, and dangerously. Of course, Israelis will want an agreement with their neighbors to provide something very much like normalcy. Of the likelihood of this desire they should be quickly disabused. For normalcy in this neighborhood is not like normalcy elsewhere. Are the relations between Syria and Iraq normal? Between Syria and Lebanon? Between Saudi Arabia and Yemen? Between Egypt and the Sudan? And how about Jordan and Kuwait or Libya and Morocco? The Jews should not expect that their peace with the Arabs would be deeper and more stable than the peace, such as it is, among the Arabs.

These are the dolorous reasons why the provisos of any Arab-Israeli settlement will not seem like conditions for a breakthrough. They cannot seem that because the region does not easily (or ever) allow for true breakthroughs, because the security of Israel and the fickleness of its neighbors require that "breakthroughs" never happen. But even such an inconclusive and unsatisfying result, which could, after all, bring relief to populations that have lived under siege for five uninterrupted decades, should not be despised or rejected by this administration. It is, let's not forget, an administration that has allowed itself to be party, in an adjacent part of the world, to a military and diplomatic settlement that is not only intellectually unsatisfying and politically inconclusive, but also morally despicable. What it refuses to enforce in the Balkans, in the face of incomparably higher levels of misery and mayhem, the administration should not blithely enforce upon the Middle East, where the victor was the intended victim. A successful American intervention in the Arab-Israeli conflict is still a hard prize. But there are failed American interventions that need not be repeated. And *that* would be progress. •

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BOOKS & The Arts

Stanley Kauffmann on Films

Out of Africa

Jay Leyda, the esteemed film historian, taught at Yale for a few years during my time there and once did me a big favor. I was forced to miss a meeting of my film class one week, and I asked him if he would be willing to take over for me. He agreed amiably. I told him about the film that had been rented for that week, and that, I thought, was that. The following week I learned that he hadn't even opened the cans of the scheduled film. Instead, he had shown and talked about a film by the Senegalese writer-director Ousmane Sembène.

This didn't in the least diminish my gratitude: I just wished I had been able to hear Leyda. I had seen at least one of Sembène's films by then and understood Leyda's regard for his talent, simplicity and compassion—as well as his respect for the difficulties under which Sembène worked. Sembène is now 70 and has made only seven films. Of course he started late—he was 40 when he made his first—but presumably he could have done more work under conditions more favorable than those in Senegal.

His latest, **Guelwaar** (New Yorker), is a simple story, which, like many folk tales, discloses much more than its narrative. The time is today. The chief settings are a Catholic village and a Muslim village. A prominent Catholic dies in a hospital at the same time as a prominent Muslim. When the Muslim family come for their relative's corpse, the morgue attendant mistakenly gives them the Catholic's remains (the face stays wrapped), which they bury in a Muslim cemetery. When the Catholics come for their relative, the mistake is discovered. Much of the film is about the Catholics' efforts to disinter the Catholic from the Muslim cemetery and bury him where he belongs. (No attention is paid to the Muslim corpse waiting patiently in the morgue for burial.)

Obviously, from one angle, this is a farcical story, which Sembène doesn't overlook. But the film soon deepens into the social seriousness entailed in religious dispute, brewing up the threat of violence. One unexpected development arises through flashbacks of the deceased Catholic, Guelwaar. (This is a sobriquet that means Noble One.) He had been strongly opposed to Senegal's dependence on foreign aid, and at one point it's suspected that his body's disappearance is connected to his political views. His hatred of economic dependence was so strong that, though he deplored his daughter's working as a prostitute in Dakar in order to send money home, he preferred it to her begging or to the begging his family would have needed to do otherwise. This patriarchal view of the matter is never questioned. At the finish Guelwaar's opposition to foreign aid is put into practice by young men of the village.

The film is spoken in French and Wolof: French, which is still the official language of Senegal, is apparently something of a social marker. However, more impressive than the language used by anyone is the manner of speaking. In ordinary domestic conversation, one person addresses another with his or her full name, followed by a slight pause before proceeding, as if beginning a letter. This gives the ordinary chat of a village something of the arch of formal discourse.

Another very taking element at Sembène's disposal is Senegalese textile design. The women's gowns, for everyday use, are full in fold and gorgeous in pattern. The contrast between the skimpiness of the way of life, the cane huts and the dirt floors, and the richness of those materials is inescapable. The most extraordinary aspect of this design bonanza is that no one ever mentions it: it's taken for granted.

But the most important component of the film is Sembène's directorial simplicity—simplicity crystallized, heightened, by skill. One small instance. The village priest is talking to the prostitute, returned for her father's funeral, urging her to reconsider her life. She stands not quite facing us while he walks a short distance back and forth behind her. This compact design makes his remarks, gentle and empathic, seem to be wearing away at her while simultaneously we can see their effect on her. A quiet touch of directing deftness.

There's a risk, when discussing directors who deal simply with people they know and love, of shoveling them all into the same basket. Sembène is not Idrissa Ouedraogo, and not just because Ouedraogo is from Burkina Faso instead of Senegal. But Sembène and Ouedraogo share a belief in film as a modern medium that can take over ancient work, that of the bard—using film as a treasury, free of the printed page, of

FILMS WORTH SEEING

Guilty As Sin. *The acting by Rebecca De Mornay and Don Johnson, the directing by Sidney Lumet give a large lift to this moderately twisty thriller. (Reviewed 7/5/93)* **In the Line of Fire.** *Exceptionally good genre item. Clint Eastwood, as a guilt-ridden Secret Service agent, versus John Malkovich, as a brilliant would-be assassin of the president of the United States. (8/9/93)* **Much Ado About Nothing.** *Except for the four Americans aboard, a heart-lifting, mind-tingling realization of Shakespeare's peculiar comedy-drama. (5/10/93)* **The Music of Chance.** *Odd, offbeat, suggestively sinister. Mandy Patinkin and James Spader lose a poker game and pay their debt in a weird way. (6/21/93)* **—SK**

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what each man holds dear.

Sociological Query. A phenomenon is occurring these days that calls for competent sociological study—the success of *Jurassic Park.* Every week *Variety* publishes a tally of box-office reports on current and recent films in the U.S. and Canada.

Here's a point of comparison from the August 2 list. *A Few Good Men,* the Tom Cruise court-martial picture, has been in release for thirty-two weeks and has taken in $141 million. This is a really solid success. *Jurassic Park* has been in release for six weeks and has taken in $262 million. The Spielberg picture, in less than one-fifth of the time, has taken in something like 150 percent of the earnings of a "normal" hit.

Clearly *Jurassic Park* is something outside the bounds of regular measure. (The distributor, Universal, says that in forty days, it has taken in a worldwide total of $300 million, and there are many countries where it has not yet opened.) Where it will all end is not anybody's guess—it's nobody's guess. Like a few other pictures—*Gone With the Wind* and *Snow White,* for instance—*Jurassic Park* may prove continually re-releasable after six- or eight-year waiting periods.

But its immediate receipts are so far beyond sane prognosis that they cry out for explanation. Higher ticket prices don't pertain: prices haven't risen since *A Few Good Men* opened. Some inferences are easy. People, particularly children, are going to see it more than once. People are going to see it who rarely go to the movies. But the figures are so astronomical that they dwarf these facile inferences. What's the relation of the ticket buyers to the usual filmgoers—in age, occupation, income? How many people are coming from where to see it? How often are they seeing it? What have they *not* seen because they went to see *Jurassic Park* more than once? (Some other pictures that opened in that six-week period, notably *The Firm,* are doing well, so *Jurassic Park* isn't completely cannibalistic.)

What's happening? Have E.T. spaceships brought millions of buyers in human shape to see their apostle's latest? If ever an audience survey was called for, this is the time. •

Trial by Fury

BY JEAN BETHKE ELSHTAIN

The Real Anita Hill: The Untold Story by David Brock

(Free Press, 438 pp., $24.95)

The nadir of commentary on Anita Hill and Clarence Thomas may have appeared recently in a newspaper here in Nashville. The paper reprinted a cartoon featuring two current and one future Supreme Court justices. Seated behind a judicial bench are figures representing "Thomas," "O'Connor" and "Ginsburg." "O'Connor," hand raised to partially cover her mouth, whispers to "Ginsburg": "Watch out when he offers to show you his briefs...." The cartoon is entirely predictable in its reinforcement of the rap against Thomas. Its only notable feature is that the figure of "Thomas" is white. His face is as devoid of shading as the faces of "O'Connor" and "Ginsburg."

Clearly the cartoonist flinched. If Thomas were represented as a black man, the cartoonist might be taken for a racist, or a panderer to racial stereotypes. Better to bleach Thomas and keep the gender scenario—male predator versus female prey—strict and unimpeded by considerations of race. For the controversy about Anita Hill and Clarence Thomas has become a test of political purism, about gender politics generally, and about sexual harassment specifically, at least as it is defined by those determined to promote a view of men as remorseless victimizers with only one thing on their minds and a view of women as passive victims with nary a sullied thought in their innocent heads.

Do I exaggerate? Consider the unfolding of the melodrama before the Senate Judiciary Committee, which was presented as the primal and prototypical engagement between a powerful male and a "passive" female. "Passive," that is, by Hill's own account. Although Thomas insisted on seeing Hill as a resourceful, energetic and competent woman, she staked out the ground of her own helplessness, which extended even to her conversations with acquaintances. "I was very passive in the conversation," she reported, referring to a casual discussion with several people about her reaction to the news that Thomas had been nominated to the Court. When Senator Arlen Specter asked, "Excuse me?" she repeated the sorry—but, as it turned out, politically shrewd—refrain: "I was very passive in the conversation."

Hill's representation of herself in such reactive terms struck me at the time as pretty unbelievable. I could not help noting that she was seen by others (not only by Thomas) as a woman quite capable of making her own way through the world and pressing her own case. A female coworker testified that "when I worked with Anita Hill and I knew her ... she was not a victim. She was a very tough woman. She stood her ground. She didn't take a lot of anything from anyone, and she made sure you knew it." Clearly Hill was, and is, not only capable, but also ambitious. Which is fine; all achieving people possess such traits, ideally modified by a concern for the decent opinions of others.

Why, then, the retrospective pose of helplessness? Hill gave her reason. "Because I and my reality did not comport with what they accepted as their reality," she said, "I and my reality had to be reconstructed by the Senate committee with assistance from the press and others." Perhaps Hill was not aware that she was endorsing the central and fashionable notion in contemporary feminist theory that (as Ann Scales, a law school professor promoting "feminist jurisprudence," put it) "feminist analysis begins with the principle that objective reality is a myth.... Male and female perceptions of value are not shared, and are perhaps not even perceptible to each other."

"I and my reality": these words pithily and a little chillingly capture a controlling idea of our blinkered cultural and academic life. That idea is broadly known as social constructionism. Now, I accept a good deal of the social constructionist approach, and I recognize that the best work in the human sciences is undertaken by those who acknowledge that the world will always be interpreted, and that facts will take on particular meanings in particular frameworks of understanding. Yet there must be limits to this important complication. To go beyond the reality of perspectives to the claim that there are only perspectives, that facts themselves are arbitrary inventions and that there is only "my reality" and "your reality" is to embrace nonsense. And to go still further and argue that the conditions of knowledge change with a change of gender, that men and women inhabit disparate epistemologi-

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cal universes, is to embrace not only nonsense, but dangerous nonsense.

Hannah Arendt, in her great essay on "Truth and Politics," insisted that politics is kept alive as a human possibility by our need to confront "unwelcome factual truths." If we deny such truths—for example, "the fact that on the night of August 4, 1914, German troops crossed the frontier of Belgium"—we threaten to annihilate that possibility. To be sure, perplexities of interpretation exist, and facts "must first be picked out of a chaos of sheer happenings." Yet these vexations must not "serve as a justification for blurring the dividing lines between fact, opinion and interpretation, or as an excuse for the historian to manipulate facts as he pleases." Thus, granting each generation the right to write its own history does not give license "to touch the factual matter itself." Arendt's words sound terribly old-fashioned today, they even sound innocent; and that impression, too, is a measure of how far we have gone, or how far gone we are, in the belief that any social reality is an arbitrary construction that could just as easily have been any other social reality, and that knowledge is only, or mainly, a form of power, and that power is domination of the kind that pits a simple and unevolving dominator, with his reality, against a simple and unevolving dominatee, with hers.

How immune is the right-wing David Brock to this supposedly left-wing epistemological and ideological temptation? Ironically, he is not very immune. His book, of course, is itself now exhibit A or exhibit B in this argument or that argument about the Hill-Thomas affair. Some reviewers respected its investigative journalism; but there were less tolerant readings too. Anthony Lewis, for example, found Brock guilty of "character assassination" against Hill and of overall chicanery in refusing to admit that his research expenses were partially defrayed with a $5,000 grant from the John M. Olin Foundation. About the particulars of the case, Lewis had little new or illuminating to say. Brock does acknowledge, incidentally, the Olin Foundation's support; but what Lewis seems to want is a confession that he was bought and paid for, that he "sold out" for a mere $5,000 payment from a "conservative" foundation. *The New Yorker* published a lengthy and interesting rebuttal of Brock, but then it declined to publish Brock's rebuttal of the rebuttal, thereby vitiating the proudly empirical spirit of its own article.

And so it goes: one is compelled to "line up" on one side or the other. Brock is surely right that, "particularly in the university communities and legal circles" that rallied around this controversy, anyone who recognizes complexities in the affair is immediately consigned to pariahdom. It is considered benighted to criticize the mangled way in which the hearings were conducted, or to question whether Thomas's actions, even if he did say nasty things about pubic hair and Long Dong Silver, amounted to sexual harassment in the absence of any evidence that Hill was ever entrapped, threatened, compelled, cajoled or coerced to do, or not to do, anything. A feminist friend of mine, a respected historian of women, found this out the hard way when she wrote a brief article about the controversy for her campus newspaper in which she fretted that the mounting hysteria might eventually trivialize the seriousness of sexual harassment and, moreover, serve to deepen racial codes about black males. She immediately found herself the object of a sustained campaign of personal vilification.

I do not believe that Brock does a very persuasive job of moving in and through the intricacies of the Hill-Thomas encounter and the subsequent struggle over the event as a litmus test of political purity in the matter of sexual harassment. And yet the greatest shortcoming of Brock's book may not be at all empirical. His most significant limitation is that he shares the very assumption of his opponents: Brock, too, seems to think that facts can be settled with finality by reference to motive.

These are always shaky grounds; but when it comes to sexual harassment, they are the shakiest grounds of all. Billie Wright Dziech, a sexual harassment expert, has emphasized the difficulty posed by the allegation of sexual harassment, and she calls Hill's allegation a "worst possible scenario": "one of those extraordinarily difficult allegations in which there were no witnesses, no compelling evidence, no verifiable pattern of previous harassment by the accused.... Most perpetrators have multiple patterns, identifiable patterns and extensive 'track records' of abuse that may continue for years."

This point is important. The charge of sexual harassment poses special methodological obstacles. Almost always it describes a scene of ambiguity, and a scene without witnesses; and so almost always it is essentially obscure. And yet this obscurity must not be exploited. If the controversy about Hill and Thomas has been so susceptible to ideological distortions, and if the dogma that knowledge is power has lent itself so smoothly to the discussion of sexual harassment, it is because knowledge is elusive in this

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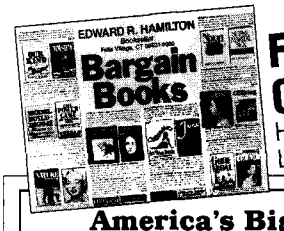

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particular instance, not because knowledge is generally impossible.

There *are* such things as the facts, but in the case of sexual harassment the facts are maddeningly difficult to establish. For the charge of sexual harassment describes a situation in which only circumstantial evidence can be confidently adduced. That is why Hill can continue to say, in some of her post-hearing public talks, that "women should be supported regardless of proof." She is hiding a political statement behind an epistemological hardship. For the same reason, her critic Brock may delude himself into thinking that he can get at what "really happened," that journalism can discover the definitive answer. His confidence, too, is misplaced.

To establish that sexual harassment has occurred, it is necessary to rely on more indirect, and therefore more contestable, evidence. On patterns, for example. In observing sexual harassment cases over the past twenty-five years in the university (at a large public institution and a small private institution), it has been my experience that most harassers, as Dziech has written, "have multiple patterns, identifiable patterns and extensive 'track records' of abuse that may continue for years." I know of no single instance in which this has not been true in the cases that were brought to my attention, and to the attention of others in positions of responsibility in the institutions that I have served. But Thomas has never been accused of sexual harassment by any other witness offering testimony under oath in a signed affidavit.

Of course, it is within the realm of possibility that one-time-only harassment might occur. For this reason, Brock's refusal to believe that "Thomas had chosen to harass her [Hill] sexually—and only her—among the dozens of women who had worked for him over the years" is not quite the knock-down argument for which he yearns. But one-time-only harassment, as students of the subject report, is highly implausible. And no one who had direct personal contact with Hill and Thomas in their workplaces came forward to corroborate Hill's account, or to state that there had been any change in her demeanor or in her attitude toward Thomas, at the time that the alleged harassment took place. And that, too, is unusual in these situations.

Consider also the treatment that Senator Robert Packwood, an accomplished harasser, recently enjoyed. Packwood is, by all accounts, a prototypical harasser, with a pattern of abuse stretching over several decades and involving dozens of women; his victims tell stories of his tearing at their clothes, forcing them into sexual encounters and then working assiduously to discredit them if they reported anything. But the very women's groups that spoke with one voice against Thomas for having allegedly uttered unwelcome and unpleasant words a decade ago were strangely mute about Packwood. Gloria Steinem played the social constructionist card—that is, the political card—by proclaiming that Packwood's actions should be explored and judged "in context." And what context might that be? The answer is simple: the context in which Packwood can be counted on to deliver the votes that various women's groups (NARAL and the Women's Legal Defense Fund, among others) wanted delivered on abortion, affirmative action and other matters. Politics and politics alone accounted for the reluctance of these national tribunes of the weaker sex to respond to a blatant, egregious and (finally) an admitted string of offenses. Eventually their hands were forced by local outrage and national publicity.

No such patience, however, with Clarence Thomas. He was the wrong sort of fellow from the git-go. I thought he was probably the wrong fellow, too, given his less than stellar accounting of himself during his Senate testimony. Brock forgives all of Thomas's lapses in the matter of constitutional acumen and juridical knowledge by arguing that the Bush handlers didn't serve Thomas well: they persuaded him to stonewall about his philosophy, and he did. It is hard to believe, however, that he was hiding very much light under his tactical bushel. Bush's claim that Thomas was the "most qualified" person for a slot on the Court strains credulity. Still, it was not on constitutional and juridical grounds that Thomas's opponents chose to contest his nomination. "We're going to Bork him," proclaimed a feminist activist quoted by an Associated Press release. "We're going to kill him politically. This little creep, where did he come from?"

Brock does a decent job of showing how the burden of proof shifted to Thomas in a situation in which he, the accused, was deprived of ordinary due process; and he recounts testimony from Thomas's co-workers and employees, many of them women, to the effect that Thomas simply could not have done, and did not do, what he was accused of. This seemed impressive at the time to those of us whose minds were not made up before the hearing started. (Unfortunately, most of the country did not see the panel of interesting and feisty women supporting Thomas; it was aired into the wee hours of the morning on a Sunday night.)

If anything, Thomas comes off in the written affidavits and in the spoken testimony cited by Brock as something of a straight-arrow and a stiff: refusing to meet with staffers in his hotel room during trips on the road because it might smack of impropriety, and firing a female staffer who called a male staffer "a faggot," so Thomas himself testified, because he found this "a slur" and "inappropriate conduct." Even stiffs, of course, put their hands on unwilling women; but we have multiple stories of Thomas's concern with proper decorum, a preoccupation that he deemed especially important for black men, who always operate under a cloud of sexual suspicion.

Brock is not content, however, with indirect and circumstantial evidence. He speculates wildly on certain indisputable facts of the case. Thus, about the documented fact that Hill made phone calls to Thomas well past her years of working with him at one job and then another, and more generally about her wish to stay in contact with him, Brock wonders whether she may have been jealous of his marriage, and to a white woman. Then Brock begins to offer shabby "facts" of his own. Do we really need to be treated to the accounts by students at the University of Oklahoma that it is Hill, and not Thomas, who is obsessed with pubic hair? Brock quotes a couple of students as stating that they found pubic hair in graded papers returned by Hill. This is as zany as the Coke can story.

And then Brock goes really overboard. Like nearly everybody else who goes near this murky subject, he strays into the shoals of "motive" and besmirches Hill in the way that she and her supporters besmirched Thomas. In Brock's account, Thomas's "motives" are crystal clear: he was defending himself against a smear and an injustice and a conspiracy to "Bork" him. About Hill's motives, Brock has to work a bit harder. Thus we learn that she is no Reagan Republican, but a "registered Democrat" (horror!) and a liberal, too. We learn that she opposed Thomas's nomination from the beginning. We learn that she had a checkered employment history after Yale Law School and may have resented Thomas because he knew this and therefore helped rescue her by giving her a job at the Equal Employment Opportunity Commission. We learn that she advocated a "hate speech" code at the University of Oklahoma. And so on.

The truth is that none of these facts and none of these speculations establishes any motive with any certainty. Orlando Patterson, in a provocative arti-

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cle in *The New York Times*, was probably right to suggest that both Thomas and Hill were telling the truth as they construed it, that they were both sincere, that they were both recounting their actions as best they understood them. This is skepticism, not social constructivism (though Patterson, too, finally repairs to the grounds of social constructionism). Brock, however, goes further. He believes that if he can provide "probable cause" in the matter of Hill's motivations, which were not made public because her campaign against Thomas was something akin to a conspiracy by Hill and her collaborators, then he, Brock, can nail this whole business down with finality. Again, he deludes himself. Much of the "evidence" that he adduces is hearsay.

More important, this attempt to reward or to punish, to lift up or to cast down, on the basis of alleged motive is misguided. The great motive hunt lends itself only to the kind of innuendo that Hill and Thomas and Brock and almost everybody else who took part in, or commented on, this affair, strongly oppose. Take, for example, the Violence Against Women Act of 1993, pending in the Senate, sponsored primarily by Senator Joseph Biden. The incorporation of "gender motivation" into this dubious piece of legislation accounts for its presumption that rape is a paradigmatic, indeed normative, instance of male domination; and it serves as a rationale for underwriting the reinterpretation of crimes of sexual violence by individual perpetrators against individual victims into civil rights violations by an undifferentiated class of victimizers (male) against an undifferentiated class of victims (female). And this raises the possibility, the specter, that the concrete facts in a concrete case of sexual assault will be much less important in assessing guilt or innocence than the establishment of an "animus based on a victim's gender."

Thus the motive of a crime, and no longer just the committing of a crime, becomes punishable; and the crime is suddenly multiplied as the offender is accused of a sexual battery offense, a civil rights violation and a hate crime. Which is to say that it will be open season for the hunters who toil in the growing field of sexual assault expertise. This represents the trashing of the truth expressed by Ruth Bader Ginsburg that "generalizations about the way women or men are . . . cannot guide me reliably in making decisions about particular individuals."

How to detect animus? How to make motivation clear? Easy, it seems, for the crafters of the Violence Against Women Act, and for the motive cops that they wish to bring into being. They rely on the platitudes of radical feminist ideology—on a view of the moral and social world that, in the words of Catharine MacKinnon, "stresses the indistinguishability of prostitution, marriage and sexual harassment." In this scheme of things, sex "is normally something men do to women," as MacKinnon says. The actual use of force or violence against a woman becomes less important than whether a woman can ever at any time be said to have "consented" to a sexual encounter or liaison or act, whether in marriage or out. But even "consent" is not really a "meaningful concept" to the idealogues. For the motivation of men is a priori, given in advance. In a society characterized by the "systemic oppression of women," men simply are rapists, actual or in situ.

There is, finally, the dimension of race. It is astonishing how little this matter was discussed in the mainstream media, perhaps because both the accused and the accuser were African Americans. But those who were hoarse in their defense of Hill, and more generally in their pious and politically correct assertions about gender and power and knowledge, might have taken the trouble to observe that they were themselves complicit in the construction of the black male as the paradigmatic sexual suspect.

The tendency to portray black men as sexually rapacious, with a propensity to rape, has long been an unsavory theme in many (white) feminist tracts. In Susan Brownmiller's *Against Our Will*, for example, the "feminist classic" that helped to spur the obsession with rape, and the conflation of rape with sex in the minds of radical feminists, it is asserted that the allegations of white women against black men in the Jim Crow South were to be credited, because white women and black women formed a single oppressed category against men. In Brownmiller's words, "The sexual oppression of black women and all women is commonly shared," under slavery and into the present.

It is no wonder, then, that those white political activists, radicals or moderates, who came to the defense of black men accused of rape get transformed, by means of Brownmiller's distorted logic, into "mainstream" defenders of male oppression. Despite ample documentation that many of these accusations of rape were falsehoods, Brownmiller hews to her reasoning, since "we white women did not dangle ourselves," and "disbelief of a woman who said she had been raped" is, after all, a stereotypical feature of "male logic." Please note that the intellectual and moral task for Brownmiller was never to sort out false accounts from true ones. Better to stick with the standard racist account of black male culpability than to disbelieve any white woman at any time! Consider even poor Emmett Till, who whistled at a white woman and paid with his life: Brownmiller regrets his murder but concedes, at the level of motive, his guilt. She knows how to reach back into the hapless Till's mind, and to divine that his whistle, that of a Northern teenager acting out in front of his Southern companions, was no mere "gesture of adolescent bravado," but a "deliberate insult just short of a physical assault, a last reminder to Carolyn Bryant that this black boy, Till, had in mind to possess her."

This is really terrible stuff, but when Brownmiller's book was published in 1975, the praise was pretty much universal. To stand apart and to criticize (as I found out) was to brand oneself as insensitive at best, as complicit with rape at

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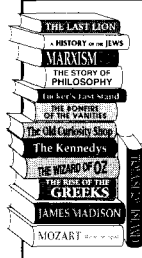

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worst. But who can read such an analysis now without squirming at the way in which black males are presented as a unified and dangerous class, as the individual instantiations of a single, collective identity? It seems that a lot of people still don't squirm; this, no doubt, is one reason that the representation of Clarence Thomas as an oversexed black male got such good press.

Nor is that all. If, to this subtext of black male hypersexuality, one adds the fact that, for many blacks, Thomas (in the words of Derrick Bell) "looks black" but "thinks white," you have a volatile mix in which white prejudice paradoxically played into the hands of anti-Thomas forces among blacks who disdained Thomas's politics. Thomas may not have been, as Bush claimed, "the most qualified person" for a seat on the Court, but he was surely right when he remarked, with bitterness, that "in this country when it comes to sexual conduct we still have underlying racial attitudes about black men and their views of sex. And once you pin that one on me, I can't get it off." A poor choice of words, those last few, but he was right about that, too: he can't escape this sort of allegation, and he is prevented from escaping it by many people who fancy themselves to be good and tolerant liberals.

Dusting off hoary stereotypes of male lust and female sexlessness, presenting a world in which sex is what men "do" to women, is one of the more disturbing features of contemporary feminist argumentation; and now, in the wake of the Hill-Thomas affair, it is working its way into our government and our politics. Moderate feminists, equal rights feminists, temperate "difference" feminists, all get shoved to the sidelines in this debate. The radicals who have no use for evidentiary concerns or due process, who prefer abstract victims to concrete inquiries into victimization, now occupy center stage. The bad joke on them, of course, is that they are there not least because it suits men in positions of power in government, law and the media, especially "liberal" men, to embrace an agenda that enables them to do a good bit of breast-beating about male culpability and female vulnerability. Striking such attitudes is easier and emotionally more satisfying than doing something serious, say, about education and housing and employment. Anyway, who is *for* "violence against women"?

The feminists who are thrilled by the cause of Anita Hill, and by the Violence Against Women Act, seem not to have noticed that such a politics and such a piece of legislation deny women, in the name of women, their full status as citizens, as well as their consideration as responsible moral agents. Given a really massive body of historical evidence, much of it carefully sifted and presented by the scholars in the field of women's studies, that women have played a variety of active roles throughout their history, one must wonder about the *ressentiment* that continues to insist on the depiction of women as passive. Instructed that Woman is the Universal Victim, that an implacable foe will frustrate her at every turn, that she is, and may always be, an "object," that she will fail to take her place in the world unless she joins the militant side and enlists the protections of activist lawyers, that her life of intimacy is a life of oppression, that relations of mutuality between men and women are impossible—told all this, most women will surely wonder whose interests and whose desires are served by such twisted pictures, since clearly their own interests and their own desires are not.

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The Night Mirror

BY VERNON SHETLEY

Tesserae and Other Poems by John Hollander

(Knopf, 89 pp., $20)

Selected Poetry by John Hollander

(Knopf, 338 pp., $27.50)

The work collected in these two books makes clear that John Hollander is a considerable poet, but it may leave readers wondering still, thirty-five years after his first book, *A Crackling of Thorns*, won the Yale Younger Poets Prize, exactly what kind of poet Hollander is. Even the rigorously selective *Selected Poetry* seems to give too many answers to that question. The difficulty in fixing Hollander's identity as a poet has something to do, certainly, with the extraordinary variety of his poetic output. Hollander has made excellent choices in assembling this selection, but the volume leaves out entire ranges of his work; it includes none of the shaped poems inspired by George Herbert and Apollinaire, no specimens of light verse (Hollander is one of the founding practitioners of the double dactyl), only a couple of the splendid translations of Yiddish poetry. It is not simply the variety of his work, however, that makes Hollander hard to pin down. Throughout his career Hollander's verse has been characterized by a strict avoidance of anything that might seem merely an expression of personality, as if the poet had taken to heart, much more fully than its author, Eliot's dictum that poetry should embody "emotion which has its life in the poem and not in the history of the poet."

Hollander began his career among the legions of young poets in the 1950s who rallied to Eliot's slogan of the "escape from personality," in retrospect an appropriate marching cry for the gray flannel years. Eliot, of course, meant by this not that the poet should avoid self-revelation altogether, only that he (to use Eliot's pronoun) should see the task of the artist as "surrendering himself wholly to the work to be done." The mainstream poets of the '50s took Eliot rather more literally than he had perhaps intended, producing in consequence a body of poetry characterized by ironic detachment and the strict suppression of the autobiographical impulse.

Among the wielders of the mainstream idiom, Hollander was distinguished mostly by his doing better than almost anyone else what everyone wanted to do, that is, writing witty, ironic, highly crafted poems, and by an Audenesque concern for adapting the conventions and the genres of lyric tradition to new social realities, as in the counter-epithalamium "For Both of You, the Divorce Being Final." But as other poets moved from similar beginnings to autobiographical, confessional, vatic or senti-

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mental modes, Hollander's commitment to a poetics of impersonality, his emphasis on formal over expressive qualities, has come paradoxically to constitute a distinctive element of his practice.

Hollander's recent poetry is more expert, richer and sadder than his early work, but it is recognizably the work of the same poet, a poet whose first commitment is to the medium of poetry—its history, its resources, its possibilities. And despite his persistent formal experimentation, Hollander has been throughout his career a lyric poet, one who has acutely faced the problems of writing lyric in an age in which lyricism has seemed increasingly suspect. Hollander is capable of writing lyrics that are so pure and transparent that they seem almost—and the almost is important—found rather than composed.

Here is "An Old-Fashioned Song," the opening poem of *Tesserae*, a poem that echoes and revises the traditional French song "Nous n'irons plus au bois." It is too wonderful a poem not to quote in full:

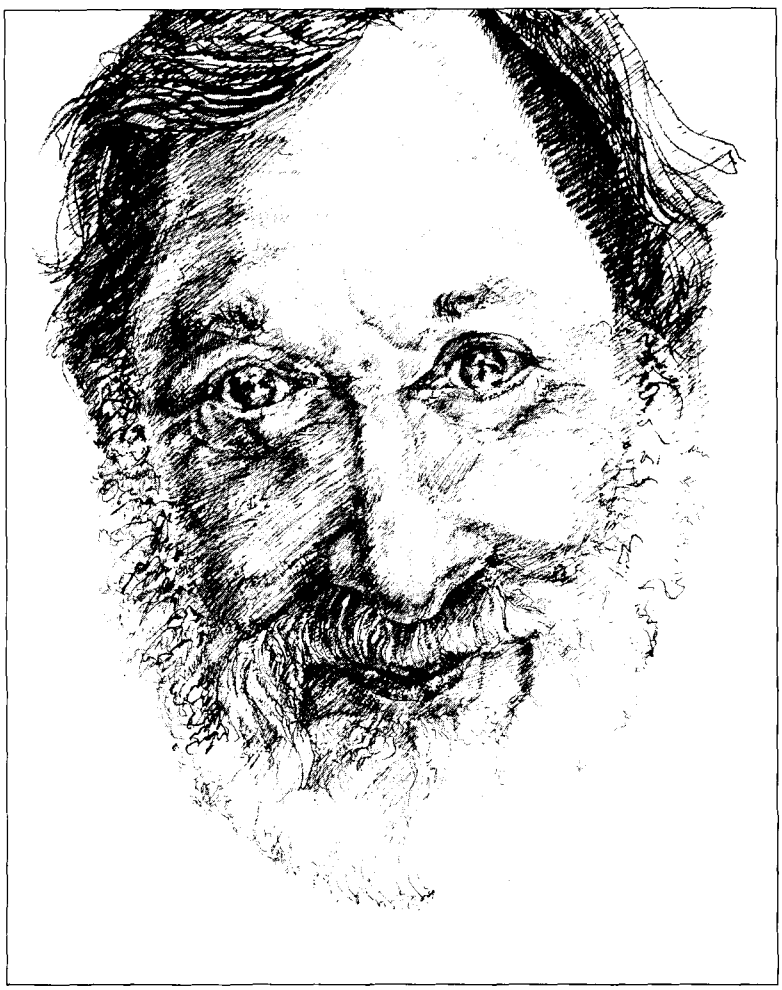
No more walks in the
wood:
The trees have all been
cut
Down, and where once
they stood
Not even a wagon rut
Appears along the path
Low brush is taking over.

No more walks in the
wood;
This is the aftermath
Of afternoons in the
clover

Fields where we once
made love
Then wandered home together
Where the trees arched above,
Where we made our own weather
When branches were the sky.
Now they are gone for good,
And you, for ill, and I
Am only a passer-by.

We and the trees and the way
Back from the fields of play
Lasted as long as we could.
No more walks in the wood.

Part of what makes this an "old-fashioned" song is its language. "Aftermath" may be the only term in the entire poem that Wordsworth might not have used, indeed that Chaucer might not have used. And yet a number of subtle touches show that this poem belongs very much to our moment. The harsh enjambment of "cut / Down" reinforces the sense of the words, shading them with a note of violence; and where we might have expected a rhyming couplet, the opening section trails off with two lines that are matched with their rhymes only further along in the poem. The way that "for ill" plays off against "for good" in the previous line is a typical Hollander cleverness, in which a term that had on first appearance seemed straightforward is lifted into wit by something that comes after. Yet the ending of the poem opts for pathos over wit, striking the note of resigned melancholy that is Hollander's characteristic closing gesture. That pathos, however, seems to be related as much to language as to experience. One isn't the least bit curious about the identity of the "you" whom the poem addresses, nor does one imagine that attaching a name to this figure would reveal anything significant about the poem.



JOHN HOLLANDER BY DAVID SCHORR FOR THE NEW REPUBLIC

A poem like this is, as John Crowe Ransom remarked of *Lycidas*, "nearly anonymous." The emotions it evokes are particular and complex, while the situation it describes is generalized and unremarkable. This generalization is at the core of Hollander's approach to the problem of authority that haunts the lyric in our moment—the problem of finding a way to retain some of the emotive power of the feelings that lyric form once embodied while acknowledging that the beliefs that once underpinned those forms are no longer tenable. Hollander has been more willing than most to appeal to poetic tradition as a source of authority. At a time when the weight of the past seems to many poets more a problem than a solution, Hollander has, even while he revises the conventions of the lyric, held fast to a belief in the productive power of tradition.

Hollander and James Merrill are surely the two American poets who vie for the title of the most expert manipulator in our moment of the forms and conventions of the lyric. Merrill has described himself as an "arch-conservative," with the caveat "more arch than conservative"; Hollander might conversely be seen as a classicist, if a classicist is defined, following Pound, as one who seeks the "least possible variation" that will reinvigorate an exhausted trope or refresh a form grown stale through repetition. Merrill's lyricism derives its authority from its continual and seemingly inexhaustible displays of virtuosity, Hollander's by the loving and minute care with which he wields the poetic tools passed on to him by his precursors.

That love and care are magnificently on display in "The Tesserae," a long poem in 108 quatrains, in the Rubaiyat stanza that might be described as the backbone, rather than the centerpiece, of the volume of new poems to which it gives its name. "The Tesserae" is broken up into four parts, each of which closes one of the four sections of the book. This large-scale fragmentation mirrors the mosaic quality of the quatrains; "tesserae" comes from a Greek root that connotes both fragmentation and fourness. Like Omar Khayyám's, Hollander's quatrains

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wring a fatalistic wisdom out of their confrontation with the bare facts of life and death. One of the things that may have attracted Hollander to the Rubaiyat stanza in the first place is the combination, in Fitzgerald's rendering, of an offhand, colloquial tone and language with an almost complete absence of topicality, a combination of qualities that has characterized much of Hollander's work.

Hollander's mastery of form is everywhere inconspicuously on display in these stanzas, perhaps most so in the way that even the most complex verbal acrobatics seem to fit naturally into the form, and into a voice that remains thoroughly contemporary even as it treats the most ancient themes of lyric poetry:

All our poor works of light come down to viewing
That deed of darkness to be our undoing,
A cold and loveless act of quick uncoupling,
Counter-clockwise, a sort of last unscrewing.

The Word becomes the deed, and thereby dead;
The instant's steed rides by and in its stead
We read its epitaph, and, having read,
The lives of gold we lead all turn to lead.

Sisyphus pauses; his half-bent position
Points to our own unchangeable condition:
Seek to evade the terminus of Death?
You'll just end up in deadly Repetition.

As these quatrains show, aging, loss and disillusionment are the *materia poetica* of "The Tesserae." Unlike many ironists, however, Hollander never feels resentful at the self that nursed the illusions he dismantles, and at the end of the sequence poetry itself comes to grant a modest reprieve from the gloom of physical decay:

Like thin, new wines that the bad vintners weep
That sour the heart and put one's wits to sleep,
The shrill chants of the hour soon go bad;
Songs of the lion and the lizard keep.

I've painted, in high light, with colors of
Shadows cast by the dark itself, in love
With shows of blackness. May I play with light
When covering darkness fits me like a glove.

Individually, each of the quatrains presents itself as a tour de force of epigrammatic finality. Read in sequence, the poem becomes surprisingly moving, as the image of brilliance and wit is refocused into one of continual searching, rethinking, revising. What at first we read as performance becomes transformed instead into meditation.

In a rather different way, stepping back from the individual poems to view Hollander's career as a whole alters our perception of the chief qualities of the work, for Hollander's career gives an impression of energy and appetite at odds with the classicizing purity, the impersonality, of his lyricism. The production of fifteen volumes of dense and highly crafted poetry in thirty-five years is itself an indication of exceptional will, a will that one encounters no less powerfully in the many longer poems that Hollander has written. As does the career itself, these poems give the impression of a certain artistic greediness, a determination to leave no effect untried, no variation on a theme unexplored.

Both the impersonality and the greed are powerfully on display in *Powers of Thirteen*, the book composed of 169 (thirteen times thirteen) thirteen-line poems, written in thirteen-syllable lines, which Hollander published in 1983; and almost the entire volume is included in *Selected Poetry*. *Powers of Thirteen* is Hollander's sonnet sequence, with the example of Shakespeare always in the margins of the collection. But where Shakespeare's sonnets produce the illusion of an extraordinary particularity, which has encouraged fanciful critics to seek "real" persons behind the dramatis personae, few critics are likely to feel that knowing more about the slenderly characterized figures of Hollander's sequence is the avenue to revelation about the poetry.

Like Shakespeare, Hollander engages in deep, highly self-conscious play with the conventions of poetry, but where Hollander's great original seems determined at every point either to invert those conventions or to exhaust them by the definitive nature of his own performance, Hollander's own sequence operates by a poetics of profusion, in which every motif is varied and revaried, every vision subjected to revision. Shakespeare wrote his sonnets after the sonneteering vogue had cooled, writing as if he could say the last word, forever, in and for that form. Hollander writes with the awareness that the conventions he revises will be revised yet again and again.

Throughout his career Hollander has had only one theme, the contest between love and death; and while he honors the imperative of irony that now seems to condition anything that can be said in poetry, there also persists within his voice a temperamental attraction to elegiac sentiment. The effect of this ambivalence is that love is generally treated both with and as irony, while death gathers a rich pathos into which all the sentiment that cannot be allowed to love returns, transfigured. The ironic impulse dictates the self-revisions that are so prominent a characteristic of the poems. *Powers of Thirteen*, for instance, contains numerous paired poems that contradict or undercut one another—"all flesh is as the glass that shatters" is answered in the following poem by "All glass is as the flesh which refracts." Hollander's gestures of closure typically involve a wry, deadpan acceptance of the state of loss or limitation at which the poem has arrived.

Yet a different note, which seems a good deal less accepting, in which the response to loss threatens to slide from melancholy toward rhetorical violence, also appears in moments when death itself becomes the object of a curiously voluptuous attention. Here is "The Landmark," poem 114 from *Powers of Thirteen*:

But when, in want of being in some kind of touch with
Tremblings and glories of an older sort, I intrude
Upon a spot like this in vision, pushing branches
Noisily apart to see her body still embraced
By the green ground, it falls to ruin: there is nothing
But the laughter of the pressed-down grass where she, lying
With her silent and adoring tongue, had lain with me
On a young June afternoon when my breath and hers were
A piece of the general wind. Today, my hearing
Rings with the silent palatal that can make *now* know
Something of *then*: my eyes melt in truth come in sad aid
Of late time: my memory shivers as dark footsteps,
Somewhere, disperse pretty posies laid across her grave.

The key intertext here is Wordsworth; the lost "tremblings and glories" that the poem laments are a version of the Wordsworthian "splendour" with the erotic element, which Wordsworth carefully suppresses, reinstated. As the poem goes on, it is not easy to tell whether the loss that is lamented is erotic or poetic. The "pretty posies" scattered at the end are a figure for poetry itself. And the final line seems to carry an oblique echo of Sappho's famous description of jealousy:

My eyes are dead to light, my ears
pound, and sweat pours down over me.
I shudder, I am paler than grass,
and am intimate with dying.

Hollander's poem shares with Sappho's an intensely tactile representation of

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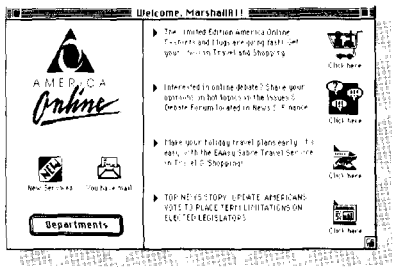

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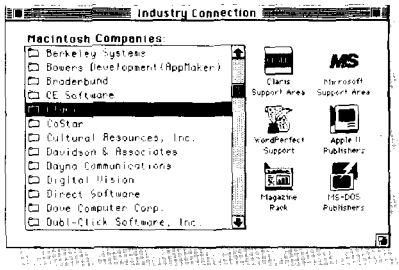

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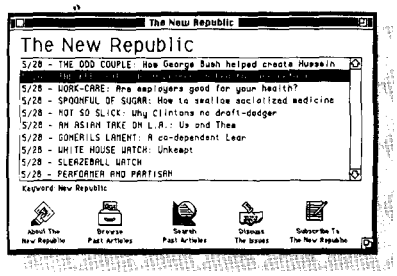
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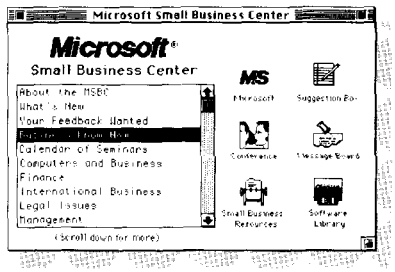

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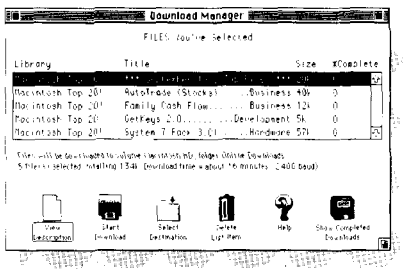

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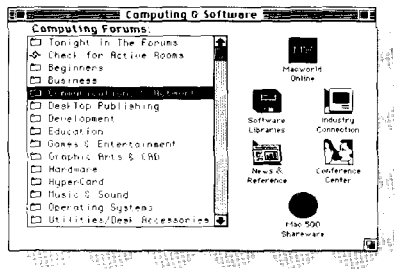

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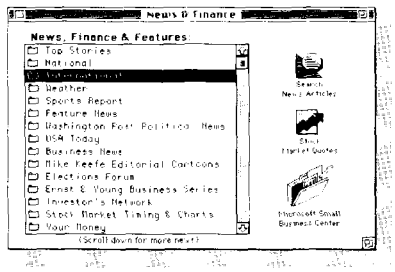

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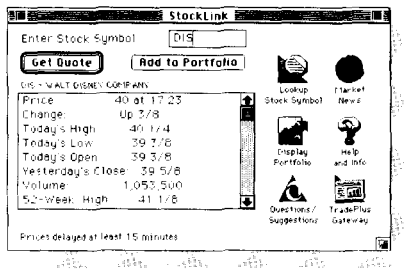

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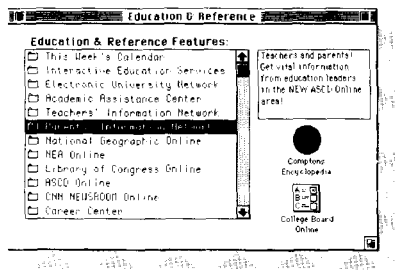

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feeling, though in Hollander's poem death is both the rival and, through a dreamlike condensation, the object of desire. The confusion of erotic feeling and mortuary feeling is an old theme in poetry, but few instances of it have the vividness, the sense of an almost physical apprehension of a lost object of desire, that this poem communicates.

It is at moments like this, in which the themes of sex, death and vision are entangled, that the impersonality of Hollander's work yields to something troubled and troubling, something edgy and private. As Eliot noted, "Only those who have personality and emotions know what it means to want to escape from these things," and the effects of this return of the repressed are made all the more odd and unsettling by our knowledge of the restraint that usually characterizes the work. I'm thinking of poems like "The Lady of the Castle," "Glass Landscape" and "The Night Mirror," or passages like Section 7 of the marvelous poem "The Head of the Bed":

> Down the shaded street, toward an avenue
> Of light, a gleaming picture receded:
> The sudden lady, tall, fair and distant
>
> Glided slowly, and her beautiful leg
> Sole but unlonely, swung walking along
> Between the companionable crutches,
>
> Flesh hand in hand with sticks. He followed them
> And waited in a sunny place, and when
> She halted, there were woods. Turning her head,
>
> She smiled a bad smile, framed by a shadow
> Flung from a tower somewhere. He dared not move
> Toward her one leg, toward her covered places
>
> Lest he be lost at once, staring at where
> Lay, bared in the hardened moonlight, a stump
> Pearly and smooth, a tuft of forest grass.

What makes this vignette so spooky and disquieting is precisely the impression, conveyed by the cool precision of the language, of the writer's belonging to the world that it presents. The conjunction of "a sunny place" and moonlight is one that the poet doesn't bother to note, let alone to explain, while the man's being described as following "them," the sticks, rather than the woman, shows clearly enough, if subtly, how different the poet's knowledge of the scene is from that of this observer, who stands for the reader. This is poetry, one feels, that makes little accommodation for the reader. It has ceased to care what the reader thinks about it, and it doesn't make one anxious to meet its author; yet its weird power compels rereading.

Auden once remarked that "only a minor talent can be a perfect gentleman; a major talent is always more than a bit of a cad," and went on to add that an exquisite performance by a minor poet had the power to make a major poet feel thoroughly ashamed of himself. Most of Hollander's poetry probably makes other poets feel envious and ashamed in equal measure; envious of the depth and the solidity of his technique and his knowledge, ashamed of themselves for not having mastered their craft as thoroughly as he has and for not practicing it with the same devotion and care.

But the poems and the passages that reveal the dark, estranging side of Hollander's vision are the work of a poet who could be made to feel ashamed himself, a poet who aims for power rather than perfection and who must, like all seekers of power, be a little careless of good manners in its pursuit. Perfection is a rare accomplishment, particularly in American poetry, and the perfection of much of Hollander's work makes it essential reading for anyone who genuinely cares for the craft of poetry. But in our fallen world we seem fated to value power over perfection, and John Hollander's poetry has shown a visionary power just often enough to secure him a place as one of the major figures of our moment.

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Metaphysics and Texas

BY PETER GALISON

Dreams of a Final Theory: The Search for the Fundamental Laws of Nature by Steven Weinberg

(Pantheon, 334 pp., $25)

Physicists write in different registers, and it is essential to place Steven Weinberg's new book in the right one. There are, or there were, research books—Newton's *Philosophiae Naturalis Principia Mathematica* of 1687, for example, which set out his system of the world, from the laws of motion to the universal law of gravity. Newton's volume served, for nearly 250 years, as the model of quantitative and valid knowledge. By the beginning of our century, however, the research book had become a dying genre. None of the leading physicists active at the turn of the century ever published an important piece of previously unknown physics in a book—not Einstein, not Bohr, not Heisenberg.

But in the nineteenth century, an increasingly arcane scientific language demanded popularization, and physicists put the ideas of their time into more accessible form. Weinberg knows this idiom. His *The First Three Minutes*, which became a best seller, is the single best piece of popular science writing of the last fifty years. *Dreams of a Final Theory*, too, contains some good scientific vulgarization; Weinberg is an admirably clear guide to the nature of unified field theories, tests of quantum mechanics and other matters.

Yet there is a third genre that, for want of a better name, we might call the worldview book. In it, the physicist gives a thumbnail sketch of his (yet alas, not her) domain, weighing heavily his own contribution. The genre demands the establishment of an intellectual paternity back to the Pre-Socratics, or at least back to Plato and Aristotle. And the author must pronounce on the nature of God and other Big Questions, such as the nature of Causality, Reality, Determinism, Continuity and Life.

There can be no doubt that Weinberg's new book is destined, in part, to be read in this tradition. Still, it is not for its clear popular science or for its theology that it is likely to be remembered. What distinguishes this book is that it contains the single most sustained argument yet made (on natural philosophical grounds at least) for building the Superconducting Supercollider. This is, in short, a *meta*physical defense for spending some $8 billion for a fifty-two-mile underground particle physics laboratory beneath the fields of Waxahachee, Texas. By metaphysical, I mean a serious attempt to grapple philosophically with the nature of causal relations that obtain among the objects that populate our picture of nature.

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Roughly speaking, Weinberg's argument goes like this. Every question about the physical world leads to another. Why is this chalk white? Because the atoms within it have no preferential absorption of one color or another in the visible spectrum. Why do atoms absorb light? Because the electrons can only orbit with certain energies around nuclei of protons and neutrons. What are the protons and neutrons made of, and what are the laws that govern their behavior? Quarks and gluons transmogrifying under the laws of quantum chromodynamics. From just about any question about the nature of anything from electricity, transparency or ductility to the color of clouds or why kites fly, one falls, like Alice, down a hole, at the bottom of which lies the domain of elementary particle physics. This is the foundational view of particle physics.

There are other, easier ways than through metaphysics to argue for big scientific projects such as accelerators, and the particle physics community has tried them all and no doubt will continue to do so. Easiest (in discussions among physicists), of course, is to stick to the physics. Photons are the elementary bits that make up electromagnetic interactions. They compose the waves of visible light, x-rays, radio and radiative heat. A unified field theory would show how these electromagnetic-force-carrying particles are related to other force-carrying particles. In all, there are four types of forces in the world: the electromagnetic force carried by the photon, the weak nuclear force carried by particles known as the W and Z, the color force carried by particles called gluons and gravity, carried by hypothetical gravitons. The best candidate so far for a unified theory links the photon to the W and Z.

Twenty-five years have passed since Weinberg, Glashow and Salam proposed this "electroweak" theory, and the data have been kind. The weak force particles predicted in the electroweak theory were found in 1983 and have been confirmed tens of thousands of times since. Indeed, most everywhere that experimentalists have looked the theory has matched measurements. So what is the problem?

The problem is this. At the high energies present in the early universe, the weak and electromagnetic exchange particles are indistinguishable. In our own low energy world, electromagnetism and the weak force look nothing alike. Something happened between the two energy ranges that breaks the symmetry between forces. The SSC is designed to watch that split happen. Is there an auxiliary particle that makes the weak-force-carrying particles different from the photon? Is this auxiliary particle elementary or composite? Or is there some completely unexpected mechanism at work? An answer along any of these lines would teach us not only about the electromagnetic and weak forces, it would tell us what unification itself means. It would give us an understanding of the different ways that matter meets matter.

In short, the thousands of physicists who have banked their careers on the SSC are doing so because they believe that it will tell us why our world looks nothing like the unified one of the primordial universe. Still, not every member of Congress is immediately moved to dispense billions of dollars to solve a physics problem, even, or perhaps especially, a deep one with no apparent practical consequences.

As a result, physicists have called out other weapons. One fairly standard move is to stress spin-offs. SSC advocates emphasize that the extraordinary challenge of building a complex technological project necessarily involves developing new kinds of materials, electronics, cryogenic techniques, production mechanisms and computer systems, and sooner or later these find their way into the broader national economy. Look around at your neighbors, particle physicists say: one in eight of you will find yourself sometime in your life under the healing beam of a medical particle accelerator. Who could have imagined such widespread benefits in the early days of atomic physics? Look, this argument continues, at the astonishing pictures of the etched high-density circuitry in your computer chips, and remember that the technique of designing the latest such marvels has emerged from accelerator-based synchrotron light sources. Just imagine the skills that will emerge from building 50,000-ton electronic detectors that can extract the details of one collision from the mass of others that are occurring at the rate of 100 million per second. In response, the skeptics rejoin, if we want new materials, let's skip the search for a unified theory of nature and pack our billion-dollar investment directly into the fabrication of new chips and materials. Legislators—and the public—have to decide if a project like the SSC is more likely to be productive of spin-offs than a myriad of specific chip- or material-producing contracts would be.

A second argument, that accelerator-building bolsters national security, appears to have declined somewhat in the post-Soviet world of the SSC. Previous accelerators, built during the cold war, could implicitly or explicitly connect the growth of nuclear science with nuclear weapons, and the growth of their accompanying electronics with radar and anti-radar defense endeavors. Moreover, keeping a reservoir of top trained physicists and engineers "on tap" was deemed necessary in the event of a new national emergency; their students indeed offered a steady source of talent for the defense establishment. And scientific prestige translated into a form of national security: it was assumed that a nation that could launch Sputnik or Apollo was a nation that could rule. With the cold war over, such technical boosterism has had to stand down. In its place is an economic war in which the claims of technical-scientific skill are invoked for launching HDTVs, not ICBMs.

More brutally pragmatic is an argument that can now be made (in the right circles, of course) that the SSC is simply too big, too economically important to cancel. To stop now would be to lose jobs in congressional districts seeded strategically across the length and breadth of the land. For rather obvious reasons, this is not the kind of argument on which a particle physicist would particularly like to rest an intellectual case for the SSC, though politically it may, alas, be one of the most effective.

And finally, there is the "imaginative" case for the SSC. Building this underground laboratory is likened to the age of exploration, to Columbus setting out across uncharted waters. As an emotionally charged argument it has an appeal beyond specific jobs or economic fallout. Constructing the SSC could, advocates suggest, restore a sense of the nation "walking tall," its citizens symbolically linking arms in the quest for something deeper and longer lasting than the ephemera of daily political strife.

None of these contentions particularly interests Weinberg. We may be enriched, renewed and protected against our enemies by the SSC, but it is on far more rarefied ground that he wants to assemble his case: building the Superconducting Supercollider will give us a glimpse of a final, fundamental theory of the universe.

Of finality and fundamentality, consider first fundamentality. When Weinberg says that particle physics is more fundamental than, say, molecular biology, chemistry or condensed-matter physics, he does not mean this in a practical sense. He quite explicitly acknowledges that his claim of fundamentality implies nothing about the ability of high-energy theorists now or in the future to

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calculate how transistors or superconductors work from the first principles of quarks. Nor does he want to deny the profound scientific contribution of the discovery of DNA and its role in molecular biology; Weinberg never disputes the significance of the continuing elaboration of new higher-order principles of organization governing chaos, whales and rain forests. Weinberg is at pains to concede that even our explanatory practices may well need higher-level theoretical entities to account for the world around us: it is not now and may never be possible for us to explain why an amoeba divides using the principles of elementary particle physics.

So if Weinberg denies espousing a calculational, ontological or explanatory reductionism, in what conceivable sense could he say, "I consider myself a reductionist"? "For me," Weinberg writes,

> reductionism is not a guideline for research programs, but an attitude toward nature itself. It is nothing more or less than the perception that scientific principles are the way they are because of deeper scientific principles ... and that all these principles can be traced to one simple connected set of laws.

I take this (and related passages) to mean that for Weinberg all the laws of nature are bound to a set of fundamental laws not by any of our practices—not by our explanations, not by our predictions—but by causal links that may or may not become apparent to us as we shuffle through this vale of tears.

By way of analogy, Weinberg returns to the structure of DNA and its relation to the biological sciences. No doubt about it, he says, the rain forest population ecologist has little use for DNA in his account of the teeming life under the canopy. The discovery of DNA may be perfectly irrelevant to the practice of (some of) the life sciences. But DNA is necessarily a component, a fundamental, irreducible piece of life itself. Just so, the argument continues, the practitioners of condensed matter physics may not give a hoot about quantum field theory, but it is the totality of the interactions among intermediate bosons, electrons, quarks and the rest of the subatomic zoo that fixes the way things are in a superconductor, in a transistor or in a new polymer.

Weinberg evokes an "attitude" toward the universe in which the objects that happen to be studied by chemists are made up of the objects that are studied by physicists, the objects that happen to be studied by biologists are in turn built out of the objects examined by chemists and so on. A metaphysical hierarchy exists, and our extraordinary efforts to probe the elementary building blocks are understandable only because all else is fashioned from them. As Weinberg puts it: "The reason we give the impression that we think that elementary particle physics is more fundamental than other branches of physics is because it is. I do not know how to defend the amounts being spent on particle physics without being frank about this." Here is where the rubber meets the road, the point at which the status of particle physics slams into the national budget.

This kind of fundamentality talk sends other physicists (and biologists and chemists) into a tizzy. And, given the explicit map between the hierarchy of fundamentality and the hierarchy of money with particle physics at the apex, it is not all that hard to see why. Philip Anderson, one of the outstanding condensed matter physicists at work today, has tirelessly opposed what he considers the overfunding of high-energy physics to the detriment of other worthy fields, from computer science to superconductivity. How can we tolerate a situation, he asks, in which crucial jobs in what he calls "fundamental" condensed matter physics lie unfilled, in which grants for economically essential projects in condensed matter physics get cut and in which we are losing the fertile ground out of which many new fields really have sprung up, neural network theory and chaos among them?

Particle physicists, including Weinberg, are somewhat sympathetic to the demands of other specialties. Their political contention is that big project funds in Congress are not fungible. Money for the SSC within the Department of Energy is not simply transferable to funds for other worthy scientific projects in the National Science Foundation. Even within the Department of Energy, the political and economic support for any big project has particular features: you cannot cancel some SSC magnets and expect an automatic surge in money for high-temperature superconductivity any more than you can cancel a stealth bomber and walk off the Hill with a national park.

Over and above the contested ground of the fundamentality debate lies the debate about finality. For one could perfectly well believe that there is a metaphysical hierarchy of theoretical subjects culminating at the present time in particle physics, but also that particle physics itself is just the most recent rung on a ladder that extends indefinitely down. In other words, one could argue (some physicists do) that chemistry rests on atomic physics, atomic physics on nuclear physics, nuclear physics on particle physics and particle physics on an infinitely extended set of steps we may not have the good fortune to discover. Such an infinite ladder is not Weinberg's.

Almost ten years ago I was writing a history of the idea that physics was coming to an end. The examples were numerous. In 1925 Bertrand Russell bemoaned the fact that physics had been reduced to a set of operations that any computer could calculate: we know about electrons and protons, all else is work for drones. Leon Rosenfeld, an eminent collaborator of Niels Bohr, thought in the heady days after the invention of quantum mechanics that he and his colleagues would soon be moving to biology to clean that up, the party in physics having drawn to an end. Even Stephen Hawking, in his inaugural lecture as Lucasian Professor at Cambridge University, ventured to say that there was a reasonable chance that physics would close up shop by the end of the century. Weinberg listened to all this, and to my historical perspective on the likelihood of our now standing at the edge of the end of physicist's time, he replied, sure, the nineteenth-century explorers on the Nile all failed to find its source, but that

Narcissus at 60

If love hadn't made him clumsy,
if he hadn't fallen forward,
had never drowned
in his own perfection,

what would he have thought
about his aging face
as it altered, year after year,
season by season?

In the old conspiracy
between the eye
and its reflection, love casts
a primal shadow.

Perhaps he would blame
the wrinkling surface of the pool
for what he saw
or think the blemishes

on his once smooth cheek
were simply small fish
just beneath the lethal skin
of the water.

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doesn't mean it didn't have one.

But will it be so apparent in physics that we have come to the Lake Victoria of matter, energy, time and force? One way we might secure ourselves against future revision would be (according to Weinberg) by recognizing attributes of beauty in our theoretical constructions. It is quite true that throughout history, aesthetic criteria have played an essential role in theory construction and selection. Einstein, quite famously, seized on his general theory of relativity in large measure because it carried a mathematical-physical symmetry and austerity that he could not believe false—even in the face of what initially seemed to be contradictory evidence.

It is also true, however, that the aesthetic standards by which physicists have adjudicated among theories are not unchangeable. Schrödinger and Heisenberg each found the other's version of quantum theory disgusting—until Schrödinger showed that they were mathematically equivalent. Just as artistic styles come to be appreciated, physicists acquire tastes. Modern unified field theory (including Weinberg's own electroweak theory) did not immediately win consensus as a beautiful theory; and there are many examples of theories once considered beautiful and complete that have subsequently fallen by the wayside.

Aside from beauty, we would know the final theory, Weinberg suggests, by the logical isolation and rigidity of the final theory. No part of the final theory could be modified without endangering the logical coherence of the whole, and all the fundamental constants appearing in every other theory would be calculable. Of course, even this would never prove we were at the end; it would only suggest it to us. Nothing in the theory itself will ever rule out the possibility of the invention of radically different ways of viewing the world. The interconnectedness and rigidity of physics strikes me as better ground than aesthetics on which to build a case for the force of physics as a picture of the world. But does it impel a belief in finality? And the rest of science? In Weinberg's view:

> Wonderful phenomena, from turbulence to thought, will still need explanation whatever final theory is discovered. The discovery of a final theory in physics will not necessarily even help very much in making progress in understanding these phenomena.... A final theory will be final in only one sense—it will bring to an end a certain sort of science, the ancient search for those principles that cannot be explained in terms of deeper principles.

Like fundamentality, Weinberg's argument for finality must, by its nature, be made philosophically.

The controversy over the SSC, and over this book in particular, signals a new kind of public discourse about science. Instead of reporting results, and waxing poetic about them, physicists must argue for their questions in advance of knowing what answers they will find. At the height of the cold war, it might have been sufficient to rest the case for a new machine on the implicitly understood importance of physics and physicists. That is manifestly not so today: the question itself has to be framed in a way that compels interest to other physicists, to scientists outside physics, to legislators and, ultimately, to the citizenry. Unlike the space station, which has coasted on bureaucratic inertia, a serious scientific case has been made for the SSC.

It is this particular confluence of circumstances—the enormous expense of the SSC and the end of the cold war—that has led Weinberg to reanimate the genre of the physicist's worldview, with a twist. The more purely speculative mid-century version, like the concept of weltanschauung itself, was a deeply German literary creation, written by physicists who considered themselves to be the *Kulturträger*, the bearers of culture for their society. By contrast, the American species deliberately combines a blueprint for concrete and computers with a vision of nature. That is all to the good. The old Aristotle-to-Atoms genre is worn out, and it is high time that the nuts and bolts of physics be considered in the cultural context of a discussion about the nature of scientific knowledge, whatever our conclusions about fundamentality, reductionism or finality. We need metaphysics and Texas as we sort out which problems we most want to pursue.

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"Life's Dominion": an Exchange

Jeffrey Rosen gave TNR readers a very limited and inaccurate view of *Life's Dominion*, my recent book about ethical, spiritual and legal issues of life and death. (See "A Womb With a View," June 14.) I describe many serious misrepresentations below, but begin with the most important. Though he condemns me for treating certain clauses of the American Constitution as abstract moral principles, he ignores the long sections in which I explain *why* I do so.

He says I argue "convincingly" against one "extreme" view of constitutional interpretation: that the great clauses have only the force that the original "framers" expected them to have. (On that view, I pointed out, the equal protection clause would not rule out racially segregated schooling.) But, he says, I am guilty of the "equally extreme" mistake of always choosing "the least specific" level of generality of constitutional principle. He calls for something between these extremes that better represents the Constitution's "text, history and structure."

His words are almost identical with those in which Robert Bork recently described his own constitutional philosophy. Bork said that judges must try to discover, in the document's "text, structure and history," the framers' "principles," but should aim at something between the most specific and the most abstract understanding. They should read the equal protection clause, for example, as neither a very general moral principle condemning all official discrimination (which might forbid discriminating against homosexuals) nor as a very narrow principle ruling out only what the "ratifiers" themselves thought it would.

In *Life's Dominion*, however, I argue that any choice of any particular intermediate level of abstraction would be arbitrary and unprincipled, and I note that Bork himself shifted from one level to another at different points in his book. Rosen apparently *agrees* with my criticism—he says I "puncture" Bork's "sanctimonious" claim of an objective basis for such a choice. In repeating Bork's call for something between abstract principles and specific intentions, however, Rosen inherited Bork's problem and says nothing to meet it.

In the chapter he largely ignores, I offer an account of how and why history matters and of why the search for an in-between level of abstraction for stating the framers' convictions is misguided. We must distinguish between what the Constitution's authors intended to *say*—what propositions they meant to lay down—and what they themselves, because of their own political convictions, hoped or assumed or expected would be the *result* of their having said

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what they did. If I utter the words "act fairly," I probably mean to tell you to act fairly—not (what would be a very different instruction) to act in ways I think fair.

Of course history is relevant to deciding what the "framers" meant to say. We need to know, for example, whether words that seem abstract to us were equally abstract in their vocabulary, and whether such words can bear an abstract interpretation in the context in which they wrote. Past judicial decisions applying the text are also relevant, because those, too, are part of what fixes constitutional meaning; for that reason the legal chapters of *Life's Dominion* explore a variety of pertinent Supreme Court decisions.

I argue that the clauses I discuss, interpreted in that lawyerlike way, are just as abstract as they seem, so that respecting the "text, history and structure" means doing our best to identify general moral theories about fundamental rights and equal citizenship that fit and honor our constitutional history. The methods *Life's Dominion* illustrates are not, therefore, anti-historical. Rather they take a particular view of what *kind* of history is appropriate if we are to respect what the Constitution's authors said, and to keep faith with America's distinctive adventure in government under principle. Some such theory is desperately needed, and Rosen should have tried to show why the one I defend is fallacious.

His own comments show him enthusiastic about history but unreflective about why. He says, for example, that the fact that when *Roe* was decided a "consensus" of states forbade abortion might provide an "anchor" for fixing "the conscience of our people." But the fact that most states had anti-abortion laws would not show that such laws were consistent with our "conscience" if they also offend more general American traditions of freedom, which the Supreme Court has said that they do. (A great many states, we must remember, had either official or unofficial school segregation when the Court first declared these unconstitutional under both due process and equal protection.)

Rosen also thinks it crucial whether "the ratifiers of the equal protection clause meant to single out sex discrimination for special scrutiny." But this is the old confusion between what they said and what they believed or expected. If it doesn't matter that they thought their abstract principle permitted racial segregation, why should it matter whether they thought it cast doubt on laws disadvantaging women? Today's question must be whether any defensible conception of their abstract principle could treat the two forms of discrimination differently.

His main historical argument urges that since I endorse a broad reading of the Fourteenth Amendment, and so did Justice Harlan, I should have examined a recent law review article by Akhil Amar exposing the errors of Charles Fairman, a historian on whom Harlan once relied. This is even sillier than it sounds, because that fascinating article criticizes Fairman for being *too restrictive*, and endorses a very abstract reading of the whole Fourteenth Amendment as protecting all fundamental rights of individual citizens. ("Fairman was half right. Nothing in the words or history of Section One yields a principle of *exclusion*. Had its framers intended to limit its scope to only privileges, rights and freedoms declared in the pre-1866 Constitution, better words would have been found"; *Yale Law Journal* 1239.) On my page 135, I make a similar argument.

I must now consider, however, a different kind of charge against my methods. Rosen says that in my "rush" to abstract generalization I ignore a variety of important points and arguments. I "obscure the crucial distinction" between the constitutional status of contraception and abortion, namely that "abortion, unlike sex, is rarely performed in the bedroom." I "fail to explore" the argument that since the common law permits killing an innocent person to protect one's self, abortion might be legal even if a fetus were a person. I "oddly fail to note" that Laurence Tribe long ago made an argument about religious freedom "similar" to mine but then recanted it. I give only a "vague" answer (which Rosen quotes incorrectly and makes much vaguer) to John Ely's argument that since a state can protect dogs it can protect fetuses even if they are not persons.

In fact, however, I discussed *all* these arguments. I pointed out that later Supreme Court decisions Rosen doesn't mention made the supposedly crucial "bedroom" distinction obsolete, because they upheld, for example, the right of teenagers to buy contraceptives in drugstores (53); that common law rights of self-defense are irrelevant because neither law nor morality permits a *third party* (such as a doctor performing an abortion) to kill one wholly innocent party to save the life of another (32); and that the argument Tribe made and recanted, which I did not fail to note, was very different from mine (160). My own reply to Ely (114) was not, moreover, the one Rosen misquotes (I attributed that reply to Tribe), but what I called the "stronger" argument that though a dog has interests to be protected, an early fetus, which has no mental life at all, does not. (Rosen's remark that I must think the Constitution lists all the "interests" a state may protect is false for the same reason.)

He attributes several other false positions to me, almost all of which I explicitly disown. Among other mistakes, he says I think Blackmun's conclusion in *Roe* that states cannot treat a fetus as a person "disposes of the abortion question entirely." I say exactly the opposite (116). He says I reject "even modest restrictions on access to abortion, like parental consent requirements" (which are hardly modest); I do mention *consultation* requirements (151), but I never disapprove them, and though I argue that Pennsylvania's form of waiting requirements poses an "undue burden" (174), I never claim that any form of waiting period is unconstitutional. He says I think "government must subsidize abortions *because* many religions find them abhorrent" (his emphasis). I never make that argument; I called it a "bad" one that would paralyze government (161). He says that I "dismiss the equal protection argument [for abortion rights] with a single sentence." The sentence he quotes (from 111) has nothing to do with equal protection. I do not "dismiss" the equal protection argument, moreover, but explicitly and emphatically endorse it (165).

It was apparently Rosen who was rushing. He might have helped more in finding the new theory he says he wants if he had read more carefully and criticized what I actually said.

RONALD DWORKIN

Jeffrey Rosen replies:

The most interesting part of Ronald Dworkin's letter is the points on which he does *not* claim to have been misrepresented. I had criticized him for artificially narrowing the field of constitutional interpretation by presenting a Manichaean choice between himself and Robert Bork, both of whom represent equally unsatisfying extremes. By trying to reduce the Constitution to a few "abstract moral principles," I suggested, Dworkin had altogether abstracted away the need to consult constitutional text, history and structure in a rigorous way. The methods of moral philosophy hardly exhaust the work of legal interpretation. I also criticized Dworkin for ignoring the work of a new generation of liberal constitutional theorists—I called them neo-federalists—who have demonstrated the analytical flaws of Bork's pointillism and Dworkin's abstract expressionism.

Dworkin does not deny that he refuses to acknowledge any middle ground between himself and Bork. Instead, by trying to compare me to Bork, his response proves his unfortunate point

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nicely. It suits Dworkin's purposes to reduce every debate to a choice between Dworkinism and Borkism; but in fact, there are many liberal constitutional scholars, from Charles Black and John Hart Ely to Michael Perry and Douglas Laycock, who take seriously text, history and structure—which Cass Sunstein calls, in his new book *The Partial Constitution*, "the basic foundations of constitutional decisions"—while avoiding the extremes of Bork and Dworkin.

I did not linger over Dworkin's chapter about why intermediate levels of abstraction are unprincipled because, as I explained, it is not very illuminating. The "concept/conception" distinction between what the framers intended to say and what they meant to achieve was provocative when Dworkin proposed it years ago; but it is now clear that Dworkin is not seriously interested *either* in what the framers meant *or* in what they actually said. His cursory discussion of what the framers of the Fourteenth Amendment might have intended (and his equally broad-brush treatment of "pertinent Supreme Court decisions") is little more than a digression; for the "abstract moral principles" to which he reduces the Constitution are so abstract that they have only the most tenuous connection to the words that the framers chose, let alone to the broader purposes for which they chose them.

I did not presume to describe in any detail the middle ground that neofederalists aspire to develop. But in a recent essay in the *Texas Law Review*, Lawrence Lessig shows how both Dworkin and Bork fail to grapple adequately with the question of how a written Constitution should be applied in a time very different from the one in which it was drafted. Bork asks, "What was the meaning of the text when written?" Dworkin essentially ignores text and history and asks what the "best" interpretation of liberty and equality would require. The challenge for neofederalists, which Lessig and others are attempting to meet, is to refine a methodology of translation that would accommodate vast changes between the framers' world and our own, while respecting some of the limitations, as well as the ideals, of the original text.

I devoted a good part of my review to dissecting Dworkin's hyperbolic thesis that "the right to procreative autonomy follows from any competent interpretation of the due process clause," and sought to challenge, as precisely as possible, Dworkin's claim that the Court "cannot logically" accept *Griswold* v. *Connecticut*, the contraceptives case, and reject *Roe* v. *Wade*, the abortion case. (Dworkin has no response at all to the many distinctions I offered between *Griswold* and *Roe*; he evades the question by noting that "later Supreme Court decisions," which I deliberately set aside, made the bedroom distinction obsolete.) I criticized both Dworkin and the conservatives for embracing a textually unbounded vision of the due process clause that, as Akhil Amar has demonstrated, is historically unsupportable. Now, after reading Amar's article, Dworkin responds that Amar endorses an expansive reading of the privileges and immunities clause. But I did not criticize Dworkin's reading of the privileges and immunities clause (which his book ignores); I criticized his reading of the due process clause. By confusing the two clauses in precisely the same way that John Harlan confused them, Dworkin commits the same error that Amar's article is designed to correct. This cavalier attitude to text becomes a little comic when the "similar" argument to which Dworkin alludes on page 135 turns out to be an argument for an expansive reading of the Eighth Amendment's guarantee against cruel and unusual punishment.

From Dworkin's philosophical perch, the words "due process," "privileges and immunities" and "cruel and unusual punishment" all look "similar": all are part of a general requirement that government "act fairly," which judges must interpret expansively. But Amar insists on the careful textual distinctions that Dworkin refuses to make; and he argues that each clause should be interpreted as expansively or as restrictively as its text and history warrant. In particular, Amar shows the danger of disregarding the textual Bill of Rights and allowing judges to decide what *they* think "acting fairly" requires. For when they have shrugged off the constraints of text, judges are free to subtract from, as well as to add to, the list of protected freedoms, as Harlan did when he decided that the Sixth Amendment right to jury trial was not essential to "fundamental fairness."

The other "serious misrepresentations" of which Dworkin complains also evaporate when the pages he alludes to—but does not quote from—are inspected. I criticized Dworkin for dismissing in a single sentence the argument that restrictions on abortion impose legal burdens on women but not on men, and therefore are a form of sex discrimination that may violate the equal protection clause of the Fourteenth Amendment. This is the argument, first suggested by Judith Jarvis Thompson and Donald Regan, and refined by Sylvia Law and Ruth Bader Ginsburg, that has been debated extensively in connection with Ginsburg's ascendance to the Court. Dworkin does indeed dismiss the argument in a single sentence on page 111; and if he really thinks that sex discrimination has "nothing to do" with the equal protection clause, then his constitutional vision is even more rarefied than I thought.

The "equal protection" argument that Dworkin "explicitly and emphatically endorses" on page 165, in fact, has nothing to do with sex discrimination. It is Dworkin's own, and rather peculiar, notion that abortion restrictions are a form of religious discrimination that offend the First Amendment and the Fourteenth Amendment at the same time: "It would be odd if the best interpretation of constitutional liberty and equality did not insist that people have an equal right to follow their own conscience in profoundly spiritual matters."

As for Dworkin's attempt to locate abortion rights in the free exercise clause of the First Amendment, it strikes me as particularly implausible. While Dworkin alludes to a similar argument, first suggested by Laurence Tribe in a 1973 article, he does not deny or explain his failure to cite Tribe's article, as well as Tribe's subsequent recantation. Moreover, Tribe's argument, although farfetched, was less farfetched than Dworkin's. If any part of the First Amendment prohibits the state from committing itself to a controversial notion of what is sacred, it is the establishment clause, not the free exercise clause.

Dworkin does not provide any constitutional reasons, finally, for distinguishing between parental consent requirements and parental consultation requirements. And he continues to refuse, in his penultimate paragraph, to provide a single example of an abortion restriction that he would actually uphold. This only reinforces suspicions that, despite Dworkin's rhetoric about testing his own moral judgments against "existing legal practice," the Dworkinite judge would be, for all practical purposes, unconstrained.

In Dworkin's letter, as in his book, constitutional amendments are conflated; one clause is invoked to do the work of another; and "similar" arguments turn out to be different. Dworkin's refusal to acknowledge any difference between sex discrimination and religious discrimination, or between the privileges and immunities clause and the due process clause, further illustrates his lack of interest in making legal, as opposed to philosophical, distinctions. Other liberals, meanwhile, are less disengaged. Reading Dworkin, you see why. Nobody has demonstrated the need for liberal alternatives to Dworkin more vividly than Dworkin himself. •

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ORKNEY DIARIST

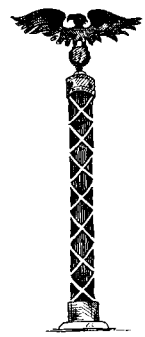
Mind the gap

"FAMILY PET SHOT"; "HEATED Words in Traffic Dispute": these are the lead news items in Kirkwell, capital of the Orkney Islands, just a few stormy miles off the coast of Scotland. Northern Scotland is seriously remote: it has, according to the E.C., the lowest population density in western Europe, and perhaps more significantly, the fewest movie screens per capita. (The French have sent a mobile cinema-truck to relieve the film famine.) Still, not everything is peat and heather. Despite its vulnerability to the North Sea and to arctic winds, the area shelters a number of intriguing sights: obscene Viking graffiti inside burial mounds, neolithic red telephone booths in the middle of empty fields, a tin-and-wire chapel built by Italian prisoners-of-war during World War II. And then there's Dunrobin Castle, seat of the duke of Sutherland, and a remarkable monument to the arrogant naïveté of the imperial imagination and its indiscriminate appetite for trophies and toys. In one display case, a bedouin uniform given to the duke by the governor of Jiddah hangs next to a collection of birds and game shot by the duchess. In another, an exhibit of ancient Pictish runes accompanies a pop-up dinosaur book evidently retrieved from New York by one of the younger Sutherlands sometime in the 1980s.

"THE USE OF TRAVELING," WROTE Samuel Johnson, "is to regulate imagination by reality." By that standard, a visitor to Britain in 1993 should beware of too much reality: the entire nation is, by broad consensus, plunged into gloom. Indeed, this may be Britain's sorriest summer in years: crime has risen, the pound has fallen and the prime minister, whose unpopularity is unprecedented, is best known for referring to his Cabinet ministers as "bastards" and to himself as a "wimp." (You can call a 900-number to hear him do so.) This month the queen finally opened Buckingham Palace to the public, only to hear ungrateful reporters carp about shabby carpets and inadequate restroom facilities. Still, the confidence of the country is not completely beyond repair: moved by a recent performance of *King Lear*, Prince Charles went backstage and told the cast that the tragedy had taught him a valuable lesson about how to stay out of trouble. Clasping an actor's hand, the prince said to the leading man, "I must never abdicate."

I WOULD BET THAT ONE OF PRINCE Charles's least favorite artists is Peter Greenaway, whose elliptically brutal films are even more disliked in his native England than they are in the rest of the world. Greenaway says that his latest movie, *The Infant of Macon*, is inspired by the Benetton ad with a screaming, newborn baby; in any case, it protests the exploitation of children in contemporary culture in a typically Greenawayesque fashion—by presenting an inventively repulsive tableau of disembowelment, violation and plague, and setting it in seventeenth-century France. To dramatize the spectator's complicity with his own display of barbarism, Greenaway ends the film with a panorama of audiences united in applause of a grisly killing. But at the British premiere in Cambridge, which I attended, the real audience's own applause was tepid. During the discussion afterward a woman with a round hat and a robust voice rose to denounce the director: "I've seen your film and I must say that I found it wooden, yes, wooden; it was, quite simply, a wooden film." When another member of the crowd added, "It was also self-indulgent and voyeuristic," she carried on, "Yes, those words came to mind as well. It was self-indulgent and voyeuristic and frankly, wooden, very wooden." Greenaway flashed a rictal grin and squawked back, "I think that's something my viewers will have to decide for themselves; what is it you want me to do about it?" The woman responded with triumphant confidence, "I want you to take it on board, that's what"—and only then did the audience rise to its feet in a crescendo of cheers.

IN HIS AUTOBIOGRAPHY *BEYOND A Boundary*, the Trinidadian writer C. L. R. James asked, "What do they know of cricket who only cricket know?" To an American stranded in the midst of an otherwise intelligible culture, this is a pertinent question: often the whole country comes off like Basil Radford in "The Lady Vanishes"—dropping the most urgent matters in order to reach the Manchester test matches, only to find them washed out by rain. Recently, the British have been especially vexed by their cricket obsession, as their national team has compiled a record worthy of the '93 Mets. (Worse, the British soccer club lost a competition match to the United States, causing the *Sun* to lament that "English football died of shame last night—and the coffin should be draped in stars and stripes.") You might think that the world championship-winning victory of England's female cricket team over New Zealand might do something to lift the spirits of British sports fans. But even the *Guardian*, England's most progressive daily, had a hard time giving the women athletes their due. While "male sports watchers" can only "dream" of equaling the achievements of their male sports heroes, the *Guardian* commented, the "vast majority" *can* "realistically aspire" to the gifts of the female champions. With a final condescending cheer, the paper concluded, "Make no mistake, these are terrific cricketers."



WHEN THINGS GET BAD AT home, English kids head for Amsterdam. And many of them never return: nearly all the homeless in the city, it seems, are English or American expatriates, panhandling for change from sympathetic tourists. The popular appeal of Amsterdam has something to do with its mixture of sleaze and quiet. Crowds of "new age travelers" get high inside the august train station, outside the royal palace and just about everywhere else except under Rembrandt's hat. But on a dark alley of the red-light district, in between video stores offering "Teen Treats" and "Animal Kicks," an entire Catholic church is sequestered on the top floors of a merchant's canal house. The "clandestine" church is an artifact from the days when Catholics could only practice their faith in private, and both the chapel and the living quarters below have been preserved as they were in the seventeenth century, with the addition of descriptive wall panels mistakenly translated into the present tense. This hushed sanctuary takes no notice of the screaming sex trade outside. With one exception: in the narrow maid's room, a plaque above the bed cautions the visitor to be careful in selecting a maid since "it is well known that servingwomen are prone to stealing and seducing."

UNLIKE THEIR DUTCH PEERS, THE British are intent on reinforcing their social cement. Officials of the transportation system are especially eager to inculcate traditional codes of personal reserve and deference: on the motorways, brightly lit billboards warn motorists to "KEEP YOUR DISTANCE" and, as commuters board the subway, a resounding voice summarizes the principles of the British class system for them in three simple words—"Mind the gap."

ALEXANDER STAR

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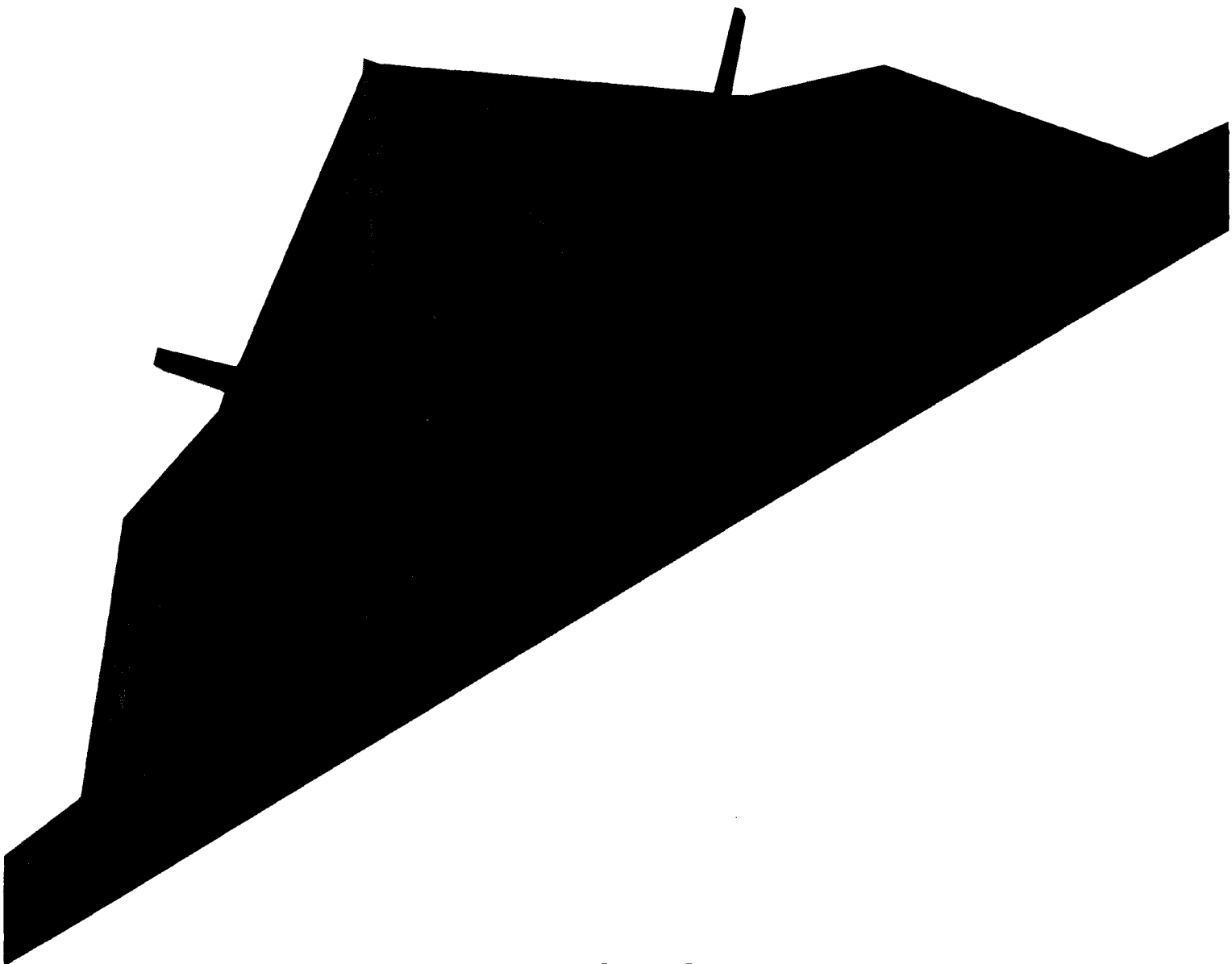

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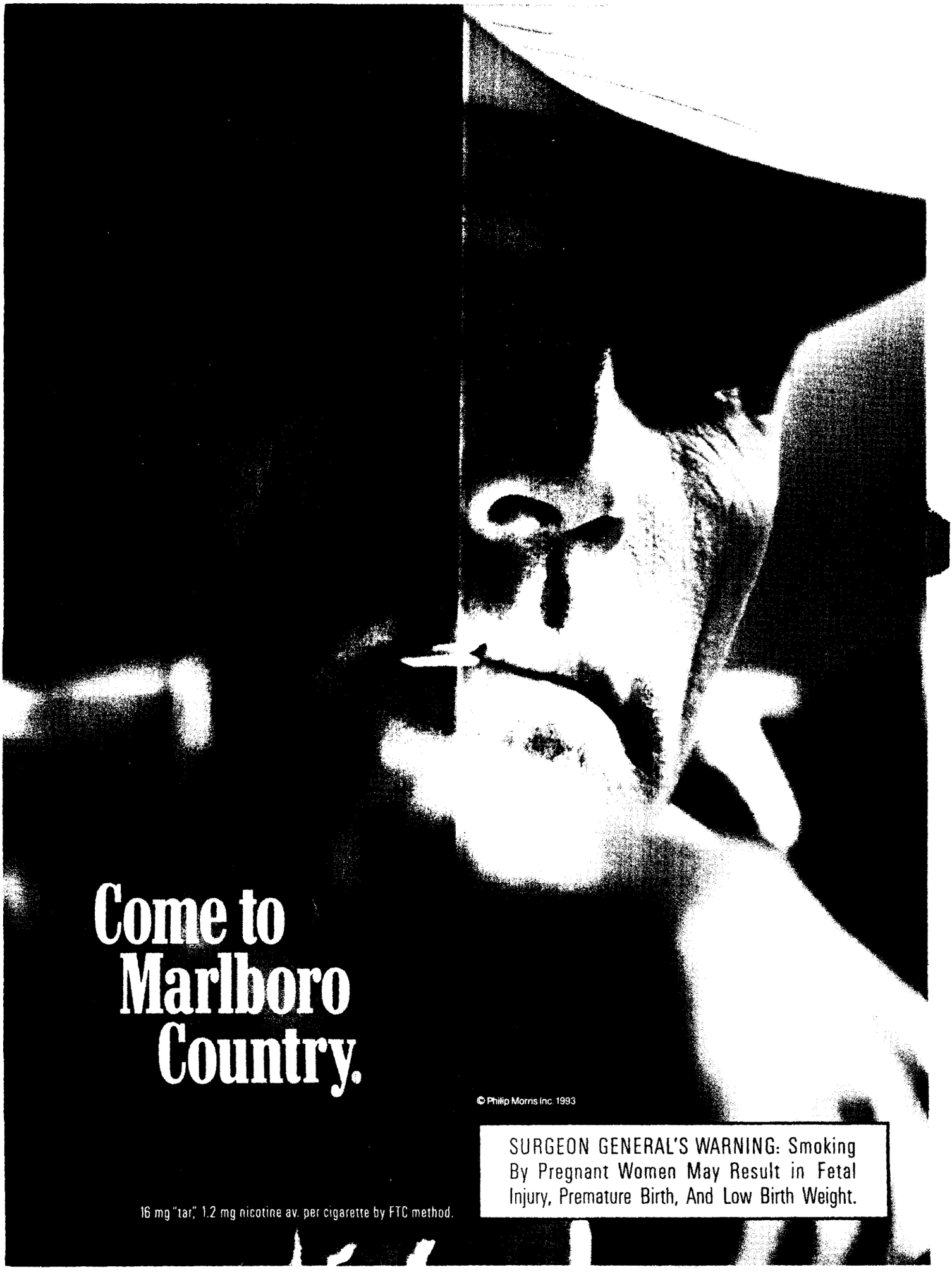
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